

**PUBLIC HEARING
BOARD OF HOUSING QUALITY APPEALS
CITY HALL McCLOSKEY CONFERENCE ROOM
January 18, 2012
4:00 P.M.**

I. **ROLL CALL**

II. **ELECTION OF OFFICERS 2012**

III. **REVIEW OF SUMMARY** – August 10, 2011; September 14, 2011; October 12, 2011
pp. 5-10

IV. **OLD BUSINESS**

- (1) 11-TV-60 **423 S. Fess Avenue**, Jeanne Walters Real Estate. Request for an extension of time to complete repairs. Previously heard April 13, 2011 and October 12, 2011. pp. 11-24
- (2) **[WITHDRAWN]** 11-TV-117 **420 S. Fess Avenue**, GMS Enterprises, LLC. Request for an extension of time to complete repairs. Previously heard September 14, 2011.

V. **NEW BUSINESS**

- (3) 11-TV-140 **1711 N. Lincoln Street**, Chester's Rentals. Request for an extension of time to complete repairs. pp. 25-30
- (4) 11-TV-141 **1720 N. Lincoln Street**, Chester's Rentals. Request for an extension of time to complete repairs. pp. 31-36
- (5) 11-TV-142 **410-412 S. Village Court**, Nextwave Apartment Homes. Request for an extension of time to complete repairs. pp. 37-42
- (6) 11-TV-144 **120 S. Kingston Drive F73**, Jan Neff. Request for an extension of time to complete repairs. pp. 43-47
- (7) 11-TV-146 **1212 S. College Mall Road**, Sandra Oritz. Request for an extension of time to complete repairs. pp. 48-53
- (8) 11-TV-147 **3101 S. Piccadilly Street**, Alexander Ferenczy III. Request for an extension of time to complete repairs. pp. 54-61
- (9) 11-TV-148 **1010 E. Maxwell Lane**, Guy Leonard. Request for an extension of time to complete repairs. pp. 62-68
- (10) 11-TV-149 **3496 S. Oaklawn Circle**, Arthur & Mary Starts. Request for an extension of time to complete repairs. pp. 69-75
- (11) 11-TV-150 **1021 E. Azalea Lane**, Mallory Hawes, LLC. Request for an extension of time to complete repairs. pp. 76-87
- (12) 11-TV-151 **3230 E. John Hinkle Place Unit A**, Tempo Properties. Request for an extension of time to complete repairs. pp. 88-92
- (13) 11-TV-152 **3230 E. John Hinkle Place Unit K**, Tempo Properties. Request for an

extension of time to complete repairs.

pp. 93-99

- (14) 12-TV-01 **701 N. College Avenue**, Station11, LLC. Request for an extension of time to complete repairs. pp. 100-106
- (15) 12-TV-02 **1890 S. Walnut Street**, A-1 Town Homes & Apartments, LLC. Request for an extension of time to complete repairs. pp. 107-113
- (16) 12-TV-03 **3421 N. Kinser Pike**, Parker Management. Request for an extension of time to complete repairs. pp. 114-119
- (17) 12-TV-04 **312 E. Dixie Street**, Michael Plaza. Request for an extension of time to complete repairs. pp. 120-125
- (18) 12-TV-05 **567 E. Graham Place**, Johann Dieken. Request for an extension of time to complete repairs. pp. 126-131
- (19) 12-TV-06 **315 E. 7th Street**, Stasny & Horn, IGP. Request for an extension of time to complete repairs. pp. 132-139

VI. **GENERAL DISCUSSION**

VII. **PUBLIC COMMENT**

VIII. **ADJOURNMENT**

**BOARD OF HOUSING QUALITY APPEALS
CONSENT AGENDA
CITY HALL McCLOSKEY CONFERENCE ROOM
January 18, 2012, 4:00 P.M.**

I. Extension of time- State Variance

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II. Extension of time- Complete repairs

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- (19) 12-TV-05 **315 E. 7th Street**, Stasny & Horn, IGP. Request for an extension of time to complete repairs. pp. 132-139

SUMMARY

B.H.Q.A. MEETING OF AUGUST 10, 2011

MEMBERS PRESENT: Kris Floyd, Susie Hamilton, Nikki Johnson, Ryan Strauser

STAFF PRESENT: Lisa Abbott, Michael Arnold, Daniel Bixler, John Hewett, Robert Hoole, Maria McCormick, Norman Mosier, Jo Stong (HAND), Patty Mulvihill (Legal)

OTHERS PRESENT: Laurie Best (211 S. Kimble Drive), Kelly Harding (Harding Rentals), Randy Hornstein (Five Star Quality Care-IN, LLC), Brian Lappin (2511 E. 2nd Street), David Willibey (601-603 W. 4th Street), 2 unknown attendees

I. REVIEW OF SUMMARY

No summaries to review.

II. CONSENT AGENDA

(1) Extensions of Time:

305 E. 18th Street, John Stevens, 11-TV-26. Request for an extension of time to complete repairs. Previously heard March 9, 2011. Recommendation was to grant with a September 12, 2011 deadline.

252 N. Walnut Street, Omega Properties, 11-TV-67. Request for an extension of time to complete repairs. Previously heard June 8, 2011. Recommendation was to grant with an October 31, 2011 deadline.

316 S. Buckner Street, Joe & Trina Burkholder, 11-TV-83. Request for an extension of time to complete repairs. Previously heard June 8, 2011. Recommendation was to grant with an August 31, 2011 deadline.

105 E. 1st Street, Catherine Cournoyer, 11-TV-104. Request for an extension of time to complete repairs. Recommendation was to grant with a November 10, 2011 deadline.

2428-2432 W. Marlene Drive, Kelly Harding, 11-TV-105. Request for an extension of time to complete repairs. Recommendation was to grant with a September 10, 2011 deadline or prior to occupancy by tenants.

2511 E. 2nd Street, Gertrude Gibson Limited Family Partnership, LLC, 11-TV-106. Request for an extension of time to complete repairs. Recommendation was to grant with a November 10, 2011 deadline.

211 S. Kimble Drive, Peter Nguyen, 11-TV-108. Request for an extension of time to complete repairs. Recommendation was to grant with an August 31, 2011 deadline.

2455 E. Tamarack Trail, Five Star Quality Care-IN, LLC, 11-TV-109. Request for an extension of time to complete repairs. Recommendation was to grant with an October 10, 2011 deadline.

573 E. Graham Place, Robert Groelsema, 11-TV-110. Request for an extension of time to complete repairs. Recommendation was to grant with an October 10, 2011 deadline.

809 W. Countryside Lane, Robert Sheffler, 11-TV-111. Request for an extension of time to complete repairs. Recommendation was to grant with an October 10, 2011 deadline.

819 W. Graham Drive, Peek & Associates, 11-TV-112. Request for an extension of time to complete repairs. Recommendation was to grant with an August 10, 2011 deadline.

Approved.

III. PETITIONS

601-603 W. 4th Street, David B. Willibey, 11-AA-103. The petitioner, David B. Willibey, was present to request relief from an administrative decision concerning loss of a 5 year permit length. Staff recommendation was to grant the request. Johnson made a motion to grant the request per staff recommendation. Hamilton seconded. Motion passed, 4-0. Request granted.

1900 S. Oakdale Drive West, Wapehani Hills Apartments, LLC, 11-TV-62. The petitioner was not present to request an extension of time to complete repairs. Petition was previously heard June 08, 2011. Staff recommendation was to deny the request. Hamilton made a motion to deny the request per staff recommendation. Floyd seconded. Motion passed, 4-0. Request denied.

424 N. Washington Street, Fierst Rentals, 11-TV-107. The petitioner was not present to request an extension of time to complete repairs. Staff recommendation was to grant the request with a deadline of October 10, 2011. Floyd made a motion to grant the request per staff recommendation. Strauser seconded. Motion passed, 4-0. Request granted.

IV. GENERAL DISCUSSION

Proposal was made to change the date of the BHQA meeting from the 2nd Wednesday of the month to the 3rd Wednesday of the month for 2012. Unanimous consent was given. Legal asked if the Board prefers items about permit length, i.e. 11-AA-103, not be placed on the Consent Agenda. The Board made no objection to placing such cases on the Consent Agenda.

V. PUBLIC COMMENT

None.

VI. ADJOURNMENT

Floyd made a motion to adjourn. Hamilton seconded. Motion passed, unanimously. Meeting adjourned at 4:30 PM.

SUMMARY

B.H.Q.A. MEETING OF SEPTEMBER 14, 2011

MEMBERS PRESENT: Sandi Cole, Kris Floyd, Elizabeth Gallman, Susie Hamilton, Nikki Johnson, Ryan Strauser

STAFF PRESENT: Lisa Abbott, Daniel Bixler, John Hewett, Robert Hoole, Maria McCormick, Norman Mosier, Jo Stong (HAND), Patty Mulvihill (Legal)

OTHERS PRESENT: Mark Hoffman (GMS Enterprises), Sonja Jackson (309 E. 6th Street)

I. REVIEW OF SUMMARY- April 13, 2011

Hamilton made a motion to approve the minutes for April 13, 2011. Johnson seconded. Motion passed, 6-0.

II. CONSENT AGENDA

(1) Extensions of Time:

1517 S. Walnut Street, Jeanne Walters Real Estate, 11-TV-74. Request for an extension of time to complete repairs. Previously heard on June 8, 2011. Recommendation was to grant with a September 30, 2011 deadline.

813-815 W. Cascade Avenue, Sarah Pavey, 11-TV-118. Request for an extension of time to complete repairs. Recommendation was to grant with an October 14, 2011 deadline.

Approved.

(2) Administrative Decision:

309 E. 6th Street, Sonja A. B. Jackson, 11-AA-115. Request for relief from an administrative decision to consider this a rental property. Recommendation was to the relief and for the agreement to remain in force so long as Ms. Jackson and Mr. LaVonne reside at the property. A residency check of the property will occur in 2014.

Approved.

(3) Extensions of Time- State Variance:

901 N. Dunn Street, Elkins Properties, 11-TV-116. Request for an extension of time to complete repairs. Recommendation was to grant with a November 1, 2011 deadline.

1002 E. Atwater Avenue, Kunga Norbu, 11-TV-121. Request for an extension of time to complete repairs. Recommendation was to grant with an October 11, 2011 deadline.

Approved.

III. PETITIONS

420 S. Fess Avenue, GMS Enterprises, LLC, 11-TV-117. The petitioner, Mark Hoffman, was present to request an extension of time to complete repairs. Staff recommendation was to grant the request with an October 14, 2011 deadline. Cole made a motion to grant the request per staff recommendation. Hamilton seconded. Motion passed, 6-0. Request granted.

2645 E. Dekist Street, Tabi White, 11-TV-31. The petitioner was not present to request an extension of time to complete repairs. Previously heard March 9, 2011. Staff recommendation was to grant the request with an October 14, 2011 deadline. Floyd made a motion to grant the request per staff recommendation. Cole seconded. Motion passed, 6-0. Request granted.

713-713 ½ N. Lincoln Street, Peggy Stalter, 11-TV-114. The petitioner was not present to request an extension of time to complete repairs. Staff recommendation was to grant the request with a December 31, 2011 deadline. Cole made a motion to grant the request per staff recommendation. Strauser seconded. Motion passed, 6-0. Request granted.

2430 W. 3rd Street, Peter Nguyen, 11-TV-113. The petitioner was not present to request an

extension of time to complete repairs. Staff recommendation was to deny the request. Floyd made a motion to deny the request per staff recommendation. Cole seconded. Motion passed, 6-0. Request denied.

306 S. Union Street, Robert Price & Mary Runnells, 11-V-120. The petitioner was not present to request a modification or exception to the Property Maintenance Code that requires a sump pump not discharge water into the sanitary sewer. Staff recommendation, per consultation with the Utilities Department, was to grant the variance. Hamilton made a motion to table the matter pending further research by staff. Strauser seconded. Motion passed, 6-0. Request tabled.

IV. GENERAL DISCUSSION

Proposal was made to change the date of the BHQA meeting from the 2nd Wednesday of the month to the 3rd Wednesday of the month for 2012, with the exception of November which will be held on the fourth Wednesday of the month. Floyd made a motion to accept the BHQA 2012 calendar as presented. Cole seconded. Motion passed, 6-0.

V. PUBLIC COMMENT

None.

VI. ADJOURNMENT

Cole made a motion to adjourn. Gallman seconded. Motion passed, unanimously. Meeting adjourned at 4:27 PM.

SUMMARY

B.H.Q.A. MEETING OF OCTOBER 12, 2011

MEMBERS PRESENT: Sandi Cole, Kris Floyd, Elizabeth Gallman, Ryan Strauser

STAFF PRESENT: Lisa Abbott, Daniel Bixler, John Hewett, Robert Hoole, Maria McCormick, Jo Stong (HAND), Patty Mulvihill (Legal)

OTHERS PRESENT: Mary Runnells (306 S. Union Street), Martha Street (719-719 ½ E. 2nd Street)

I. REVIEW OF SUMMARY

No minutes to review.

II. CONSENT AGENDA

(1) Extensions of Time- State Variance:

589 E. Graham Place, Kevin & Sally Young, 11-TV-27. Request for an extension of time to complete repairs. Previously heard on March 9, 2011 and June 8, 2011. Recommendation was to grant with a November 12, 2011 deadline.

2123 S. Bent Tree Drive, Colin Chang, 11-TV-122. Request for an extension of time to complete repairs. Recommendation was to grant with a December 12, 2011 deadline.

210-212-214 E. 17th Street, Mecca Elkins-Patnode, 11-TV-127. Request for an extension of time complete repairs. Recommendation was to grant with a December 12, 2011 deadline.

Approved.

(2) Extensions of Time:

423 S. Fess Avenue, College Rentals 11-TV-60. Request for an extension of time to complete repairs. Previously heard on April 13, 2011. Recommendation was to grant with a November 12, 2011 deadline.

1214-1216 N. Grant Street, CS Property Mgt. 11-TV-93. Request for an extension of time to complete repairs. Previously heard on July 13, 2011. Recommendation was to grant with a December 13, 2011 deadline.

211 S. Kimble Drive, Hai T. Mai 11-TV-108. Request for an extension of time to complete repairs. Previously heard on August 10, 2011. Recommendation was to grant with a February 01, 2012 deadline or prior to occupancy.

2455 E. Tamarack Trail, Five Star Quality Care-IN, LLC 11-TV-109. Request for an extension of time to complete repairs. Previously heard on August 10, 2011. Recommendation was to grant with a December 12, 2011 deadline.

800 N. Smith Road, Regency Consolidated Residential 11-TV-128. Request for an extension of time to complete repairs. Recommendation was to grant with a November 15, 2011 deadline to determine a course of action and a July 30, 2012 deadline to complete the work.

Approved.

(3) Administrative Decision:

1711 E. Winslow Road, Carole Heslin, 11-AA-123. Request for relief from an administrative decision to consider this a rental property. Recommendation was to grant with condition that it will remain in force so long as Ms. Heslin resides at the property with no more than one person and that a residency check will be made in 2013.

Approved.

(4) Rescission of Variance:

719-719 ½ E. 2nd Street, H.A.N.D., 11-RV-124. Request to rescind a variance thereby restoring the lower level to a two-bedroom unit with an occupant load of three. The upper unit remains a one-bedroom unit with an occupant load of 2.

108 S. Rogers Street, H.A.N.D., 11-RV-125. Request to rescind a pass through variance.

Approved.

III. **PETITIONS**

306 S. Union Street, Robert Price & Mary Runnells, 11-V-120. The petitioner, Mary Runnells, was present to request a modification or exception to the Property Maintenance Code that requires a sump pump not discharge water into the sanitary sewer. The item was tabled at the September 14, 2011. Staff recommendation, per consultation with the Utilities Department, was to grant the variance. Floyd made a motion to grant the request per staff recommendation. Cole seconded. Motion passed, 4-0. Request granted.

536 N. Washington Street, Eric Terhorst, 11-AA-126. The petitioner was not present to request relief from an administrative decision to consider this a rental property. Staff recommendation was to deny the request. Floyd made a motion to deny the request per staff recommendation. Cole seconded. Motion passed, 4-0. Request denied.

IV. **GENERAL DISCUSSION**

None.

V. **PUBLIC COMMENT**

None.

VI. **ADJOURNMENT**

Floyd made a motion to adjourn. Cole seconded. Motion passed, unanimously. Meeting adjourned at 4:08 PM.



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: January 18, 2012

Petition Type: An extension of time to complete repairs.

Petition Number: 11-TV-60 (old business)

Address: 423 S. Fess

Petitioner: Jeanne Walters Real Estate

Inspector: Jo Stong

Staff Report: January 3, 2011: Conducted cycle inspection
January 14, 2011: Sent report
March 14, 2011: Received appeal
April 13, 2011: BHQA granted an extension of time to complete repairs
until July 1, 2011
June 29, 2011: Received email with reconfiguration plans from agent
August 31, 2011: Planning Department approved reconfiguration plans.
Agent informed of approval.
October 12, 2011: BHQA approved an extension of time to complete
repairs until November 12, 2011.
November 15, 2011: Drive-by inspection conducted, work not complete.
November 21, 2011: Legal action started by HAND Department.
November 30, 2011: Legal letter sent to owner.
December 2, 2011: Received appeal

This property is being brought back before the board for an additional extension of time to complete repairs. The petitioner is asking for a deadline of January 15, 2012 to complete the reconfiguration while the students are away for winter break.

Staff recommendation: Grant the extension of time

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: January 20, 2012

Attachments: Cycle report, letter from legal, appeal



Application For Appeal
To The

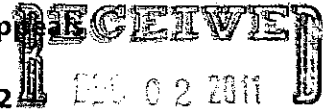
Board of Housing Quality Appeals

P.O. Box 100

Bloomington, IN 47402

812-349-3420

hand@bloomington.in.gov



BY:

Property Address:

423 S. Jess

Petitioner's Name:

Amlye Norman for Janne Walters
Pete Estate

Address:

423 S. Jess 107 E. 6th St.

City:

Bloomington

State:

IN

Zip Code:

47408

Phone Number:

812-338-8951

E-mail Address:

amlye.janne.walters.com

Owner's Name:

College Rentals, LLC

Address:

Northbrook, IL

City:

State:

Zip Code:

Phone Number:

E-mail Address:

Occupants:

10 tenants

The following conditions must be found in each case in order for the Board to consider the request:

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Identify the variance type that you are requesting from the following drop down menu:

Variance Type:

extension (A)

Reminder:

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)

11-TV-60

Petition Number: _____

In the space provided below please write a brief narrative regarding your request. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting. The following information must be included dependent upon the type of variance you are requesting:

- A. An extension of time to complete repairs. (Petition type: TV)
 - 1. Specify the items that need the extension of time to complete.
 - 2. Explain why the extension is needed.
 - 3. Specify the time requested.
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
 - 1. Specify the code reference number you are appealing.
 - 2. Detail why you are requesting the variance.
 - 3. Specify the modifications and or alterations you are suggesting.
- C. Relief from an administration decision. (Petition type: AA)
 - 1. Specify the decision being appealed and the relief you are seeking.
- D. Rescind a variance. (Petition type: RV)
 - 1. Detail the existing variance.
 - 2. Specify the reason the variance is no longer needed.

We are requesting extra time (to January 15, 2012) in order to complete the reconfiguration (major item) during the winter break when students are away, + property is vacant.

Signature (Required):

Ashley

Name (Print):

Ashley Norman

Date:

12/2/11

Important information regarding this application format:

1. This form is designed to be filled out electronically, printed, then returned/submitted manually (e.g. postal mail).
2. This document may be saved on your computer for future use, however, any data that you have entered will not be saved.

Print Form



City of Bloomington
Housing and Neighborhood Development

Cycle Report

393

OWNERS

RUBIN, MORT
3100 DUNDEE ROAD SUITE C4
NORTHBROOK, IL 60062

AGENT

WALTERS, JEANNE M.
107 E. 6TH ST.
BLOOMINGTON IN 47408

Prop. Location: 423 S FESS AVE
Date Inspected: 01/03/2011
Inspectors: Jo Stong
Primary Heat Source: Gas
Property Zoning: RH
Number of Stories: 3

Number of Units/Structures: 9/1
Number of Bedrooms: 8x1br; 1x3br
Max # of Occupants: 1/1br; 3/3br
Foundation Type: Basement
Attic Access: No
Accessory Structure: None

NOTE: The above property information is based on previous inspections. See below for reconfiguration information.

VARIANCE

11/08/1978 Granted a variance from the bathroom and the second floor kitchen.

General Violation: This property has been reconfigured since the last cycle inspection (October 19, 2007). In its current configuration, the property has 10 sleeping rooms. During the cycle inspection, conditions were noted that indicate that this property may be in violation of Bloomington Municipal Code Title 20 with regard to sleeping rooms and density. This unit needs to be brought into compliance with Title 20 within sixty (60) days from the date of this inspection to avoid possible legal action by the City of Bloomington Legal Department.

Following are the noted changes to the property:

- The kitchen has been removed from Unit #2
- The kitchenettes have been removed from Units 4 and 5
- Unit #6 has been removed and is now a kitchen; it appears to be a common kitchen for all tenants of the second floor.
- Unit #9 could previously be accessed from the exterior only. It can now be accessed from the common hallway on the second floor (through what was previously Unit #6)

The City's Planning Department will be the Department which decides whether or not a violation of Title 20 has occurred and whether or not any violation of Title 20 has been remedied. For more information, please contact the Planning Department at 349-3423. Please note that the City of Bloomington Housing and Neighborhood Development Department will not issue a residential rental occupancy permit for any property that is not compliance with Title 20 of the Bloomington Municipal Code.

A copy of this Report has been forwarded to the City of Bloomington Planning Department.

INTERIOR:

Note: All gas furnaces were inspected on October 18, 2010 and all CO levels were in acceptable ranges.

Entry:

Replace the backup battery in the smoke detector (it is beeping). PM-704.1

Unit #1

Kitchen (15-0 x 8-2):

Service or replace the metal-headed fire extinguisher. Metal head extinguishers shall be subjected to maintenance at intervals of not more than one (1) year and shall have a tag or label securely attached that indicates the month and year the maintenance was performed as well as the identity of the person/company performing the service. Metal head extinguishers must be recharged every six years and hydro-tested every 12 years per NFPA-10. Plastic head extinguishers must be replaced every 12 years per NFPA-10. **All fire extinguishers must be inspected every 30 days and a record of that inspection shall be kept.** PM-704.3

Living Room (15-5 x 12-3):

No violations noted.

South Bedroom (12-3 x 11-0):

Replace the missing smoke detector. If the missing smoke detector was hard wired it must be replaced with a hard wired model. PM-704.1

Existing Egress Window Measurements (double-hung):

Height: 27 inches

Width: 26 inches

Sill Height: 13 inches

Openable Area: 4.87 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Mechanical Room:

Properly repair the hole in the ceiling. PM-304.3

Maintain minimum clearances from combustibles:

- Fuel-fired appliances: 36" clearance from combustible storage
- Single-wall vent connectors: 1" clearance from Flow Guard Gold CPVC
6" clearance for other combustibles
- Double-wall vent connectors: 1" clearance for all combustibles
- Draft hood: 6" clearance for all combustibles

PM-603.3

North Entryway:

Replace the missing smoke detector. If the missing smoke detector was hard wired it must be replaced with a hard wired model. PM-704.1

Hallway:

North window shall be capable of being easily opened and held in position by its own hardware. PM-303.13.2

Clean the return air grille on the west wall. PM-603.1

Northeast Bedroom:

This unit/room was not inspected at the time of this inspection, as it was not accessible. This unit/room must be inspected and brought into compliance with-in the same 60 day deadline as the remainder of this property. PM-104.4

Southeast Bedroom (12-2 x 10-5):

Replace the broken electrical receptacle cover plate on the east wall. PM-605.1

The windows in this unit/room were not inspected at the time of this inspection, as they were covered and sealed with plastic. The windows in this unit/room must be inspected and brought into compliance within the same 60 day deadline as the remainder of this property. PM-104.4, PM-702.1

Bathroom:

Secure toilet to its mountings. PM-504.1

Properly seal the entire perimeter of the tub/shower including the floor. PM-304.3

Unit #2

Living Room (11-6 x 11-3):

No violations noted.

Bedroom (13-7 x 10-9):

No violations noted.

Existing Egress Window Measurements (double-hung):

Height: 27 inches

Width: 43 inches

Sill Height: 18 inches

Openable Area: 8.06 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Bathroom:

Clean and service the exhaust fan so that it functions as intended. PM-603.1

BASEMENT

Properly secure the flue to the water heater (west water heater). PM-603.1, PM-504.1

SECOND FLOOR

East (common) Bathroom:

Clean and service the exhaust fan so that it functions as intended. PM-603.1

Properly seal the entire perimeter of the tub where it meets the floor. PM-304.3

Unit #3

South Central Bedroom (13-4 x 13-2):

Provide operating power to smoke detector. PM-704.1

Repair window to be capable of being easily opened and held in position by its own hardware. PM-303.13.2

(this window must be measured at the reinspection)

Office (11-6 x 8-8):

Repair the window to be weather tight, and properly seal around the frames and trim (partially filled with putty and caulk). The sashes shall fit snugly and properly within the frame. Replace any missing or deteriorated glazing compound. Windows shall be easily and fully openable and shall remain fully open using hardware that is part of the window. PM-303.13, PM-303.13.2

Laundry Room:

No violations noted.

Bathroom:

Clean and service the exhaust fan so that it functions as intended (it is very loud). PM-603.1

Provide a proper cover for the drain in the shower. PM-504.1

Furnace Closet:

No violations noted.

Living Room (15-8 x 15-8):

Show documentation that the gas fireplace has been inspected within the last twelve months, or permanently and visibly seal the fireplace to prevent its use. Service and inspection shall include the firebox, damper, chimney and/or flue. Cleaning by a professional service is highly recommended. PM-603.1

East Bedroom (13-6 x 11-6):

Replace the missing smoke detector. If the missing smoke detector was hard wired it must be replaced with a hard wired model. PM-704.1

Existing Egress Window Measurements (double-hung):

Height: 20 inches

Width: 31 inches

Sill Height: 34 ½ inches

Openable Area: 4.30 sq. ft.

At the time this structure was built, there were no code requirements for emergency egress for a sleeping room. The Housing & Neighborhood Development Department strongly recommends that the sleeping room egress windows be modified or replaced with a larger window to aid in emergency escape. BMC-16.04.040 (b)

Kitchen:

Service or replace the metal-headed fire extinguisher. Metal head extinguishers shall be subjected to maintenance at intervals of not more than one (1) year and shall have a tag or label securely attached that indicates the month and year the maintenance was performed as well as the identity of the person/company performing the service. Metal head extinguishers must be recharged every six years and hydro-tested every 12 years per NFPA-10. Plastic head extinguishers must be replaced every 12 years per NFPA-10. **All fire extinguishers must be inspected every 30 days and a record of that inspection shall be kept.** PM-704.3

Common Hallway:

Replace the missing smoke detector. If the missing smoke detector was hard wired it must be replaced with a hard wired model. PM-704.1

Replace the undersized and discharged fire extinguisher. A minimum 2A 20 BC fire extinguisher shall be mounted on each floor level of a building in the exit corridor, exterior exit balcony, or in an accessible exterior location on the building **within 75 feet of any dwelling unit**. The extinguisher shall be at a height no greater than 5 feet above the walking surface or grade below. The extinguisher shall be visible and accessible. PM-704.3.

Unit #4 (single room)

Bedroom/Living Room (12-8 x 11-2):

Properly repair the weather stripping in the window. PM-303.13

Bedroom/Living Room (cont'd)

Repair window to be capable of being easily opened and held in position by its own hardware. PM-303.13.2

Existing Egress Window Measurements (double-hung):

Height: 27 inches

Width: 29 inches

Sill Height: 24 inches

Openable Area: 5.44 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Unit #5 (single room)

Bedroom /Living Room (12-1 x 11-9):

Repair the torn window screen in the south window on the west wall. PM-303.14

Properly repair the weather stripping in this same window. PM-303.13

Existing Egress Window Measurements (double-hung):

Height: 27 ½ inches

Width: 24 inches

Sill Height: 24 inches

Openable Area: 4.58 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

THIRD FLOOR

Unit #7

Kitchen (9-7 x 7-8):

Service or replace the metal-headed fire extinguisher. Metal head extinguishers shall be subjected to maintenance at intervals of not more than one (1) year and shall have a tag or label securely attached that indicates the month and year the maintenance was performed as well as the identity of the person/company performing the service. Metal head extinguishers must be recharged every six years and hydro-tested every 12 years per NFPA-10. Plastic head extinguishers must be replaced every 12 years per NFPA-10. **All fire extinguishers must be inspected every 30 days and a record of that inspection shall be kept.** PM-704.3

Bathroom:

Clean and service the exhaust fan so that it functions as intended. PM-603.1

Properly seal the shower where it meets the floor. PM-304.3

Living Room (20-8 x 15-2):

Repair or replace existing smoke detector so that it functions as intended. PM-704.1

Repair the hole in the wall (next to the light switch, east of the closets). PM-304.3

Repair all holes in the closet wall. PM-304.3

Bedroom (13-8 x 8-7):

Existing Egress Window Measurements:

Height: 20 ½ inches

Width: 37 inches

Sill Height: 16 inches

Openable Area: 5.26 sq. ft.

At the time this structure was built, there were no code requirements for emergency egress for a sleeping room. The Housing & Neighborhood Development Department strongly recommends that the sleeping room egress windows be modified or replaced with a larger window to aid in emergency escape. BMC-16.04.040 (b)

Unit #8 (basement unit)

Repair the entry door to be weather tight. No gaps shall be visible around the edges. PM-303.13

Replace the deteriorated molding around the door, and repair or replace the strike plate and any non-functioning parts of the lockset. PM-304.3

Living Room (15-9 x 10-6):

Install a smoke detector in an approved location. If wall mounted, it shall be located between 6 and 12 inches from the ceiling. If ceiling mounted, it shall be located at least 4 inches from the wall. PM-704.1

Kitchen (12-4 x 5-7):

A minimum 1A 10BC classification fire extinguisher shall be **mounted in a visible, accessible location, in or adjacent to the kitchen, away from the range, and in the path of egress.** The securing mechanism must be no more than 5 feet above the floor. PM-704.3.

Bedroom (12-8 x 9-9):

Note: The egress variance for this sleeping area has been removed.

Replace the missing smoke detector. If the missing smoke detector was hard wired it must be replaced with a hard wired model. PM-704.1

Existing Egress Window Measurements (awning):

Height: 20 inches

Width: 30 inches

Sill Height: 63 ½ inches

Openable Area: 4.16 sq. ft.

Bedroom (cont'd)

At the time this structure was built, there were no code requirements for emergency egress for a sleeping room. The Housing & Neighborhood Development Department strongly recommends that the sleeping room egress windows be modified or replaced with a larger window to aid in emergency escape. BMC-16.04.040 (b)

EXTERIOR:

Remove and properly dispose of all scattered trash and debris on property, including but not limited to siding, broken furniture, and cigarette butts. PM-302.1

Properly secure the block at the bottom of the east stairs. PM-303.10, PM-302.3

Remove all trash and debris from the east stairwell. PM-302.1

Trim all tree branches away from the siding and roofline to maintain a 3' clearance. PM-302.4.1

Replace all rotting or deteriorated boards on the front (west) porch, and properly surface-coat them. PM-303.10, PM-303.2

Properly repair or replace all missing or deteriorated soffit and fascia boards in a manner that seals all openings. PM-303.6 & PM-303.7

Replace the missing downspout on the north side of the house. PM-303.7

Remove the vines growing into the windows on the south side of the house. PM-302.4, PM-303.2

Properly repair the retaining walls on the south and west sides of the property, securing any loose material, blocks or stones; properly tuck-point all to be structurally sound (blocks and rocks have detached and are in the public right-of-way. Walls must be secured). PM-302.7

NOTE: The tree on the south side of the property is within five feet of the house. It is strongly recommended that this tree be removed to prevent damage to the house.

OTHER REQUIREMENTS:

Required documentation:

A completed copy of the Tenants & Owners Rights and Responsibilities Summary must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC16.12.050 (d).

Required documentation:

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and

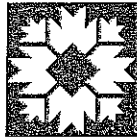
this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection **or a \$25.00 fine will be levied. BMC16.12.040**

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)

Thank you for your cooperation in the Residential Rental Occupancy Permit Program.

Corporation Counsel
Margie Rice

City Attorney
Vickie Renfrow



City of Bloomington
Legal Department

Assistant City Attorneys
Barbara E. McKinney
Jacquelyn F. Moore
Patricia M. Mulvihill
Michael M. Rouker
Inge Van der Cruysse

November 30, 2011

Mort Rubin
3330 Dundee Road, Suite C4
Northbrook, Illinois 60062

Re: Property located at 423 South Fess Avenue, Bloomington

Dear Mr. Rubin:

Our office has received a referral from the Housing and Neighborhood Development Department concerning your maintenance of the above-referenced property. The Board of Housing and Quality Appeals provided you with an extension of time to rectify certain problems with the above-referenced property. The deadline given with this extension of time was November 12, 2011. To date, this property has not been brought into compliance. Please note that a \$100.00 fine may be assessed for every day the above-referenced property is in non-compliance.

Please be advised that you need to schedule an inspection of said property within fourteen (14) days of this letter and bring said property into compliance. The initiation of legal proceedings against you for failing to comply with the Bloomington Municipal Code is a viable option.

Please give prompt attention to this matter by contacting the Housing and Neighborhood Development Department at (812) 349-3401.

Sincerely,

Patricia M. Mulvihill
Assistant City Attorney

cc: Housing and Neighborhood Development Department
Jeanne Walters Real Estate, 107 E. 6th Street, Bloomington, Indiana 47408



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: January 18, 2012

Petition Type: An extension of time to secure a state variance for egress windows.

Petition Number: 11-TV-140

Address: 1711 N. Lincoln St.

Petitioner: Parker Real Estate Mgmt.

Inspector: Norman Mosier

Staff Report: October 3, 2011- Conducted Cycle Inspection
October 17, 2011- Received BHQA Appeal
December 14, 2011 – BHQA meeting cancelled, moved to January 11, 2012

Existing Egress Window Measurements: Dbl hung pop out: Const. Yr. – 1990
Openable Area: 4.72 sq. ft. Required Openable Area: 5.70 Sq. Ft.
Height: 20 inches Required height: 24 inches
Width: 34 inches Required Width: 20 inches
Sill Height: 36 inches Required Max. Sill Height: 44 inches above finished floor

It was noted during the cycle inspection that the upstairs bedroom windows do not meet egress requirements. Petitioner is requesting an extension of time to secure a state egress variance.

Staff recommendation: Grant the extension of time.

Conditions: A copy of the state variance must be received by the Housing and Neighborhood Development Office no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: March 18, 2012

Attachments: Cycle Report, BHQA Appeal, Petitioner's Letter



**Application For Appeal
To The
Board of Housing Quality Appeals**

**P.O. Box 100
Bloomington, IN 47402
812-349-3420**

hand@bloomington.in.gov BY:

RECEIVED
OCT 17 2011

Property Address: 1711 N Lincoln St

Petitioner's Name: Candi Mullis/ Parker Real Estate Management

Address: 621 N Walnut St/ P.O. Box 1112

City: Bloomington

State: Indiana

Zip Code: 47408

Phone Number: (812) 339-2115

E-mail Address: cmullis@parkermgt.com

Owner's Name: Chester's Rentals LLC

Address: 1924 S. Dan Jones Rd

City: Avon

State: Indiana

Zip Code: 46123

Phone Number: 317-563-2845

E-mail Address:

Occupants: Cassandra Loweth, Morgan Melloh

The following conditions must be found in each case in order for the Board to consider the request:

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Identify the variance type that you are requesting from the following drop down menu:

Variance Type: An extension of time to complete repairs. (Petition Type: TV)

Reminder:

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)

11- TV 140

Petition Number: _____

In the space provided below please write a brief narrative regarding your request. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting. The following information must be included dependent upon the type of variance you are requesting:

- A. An extension of time to complete repairs. (Petition type: TV)
 - 1. Specify the items that need the extension of time to complete.
 - 2. Explain why the extension is needed.
 - 3. Specify the time requested.
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
 - 1. Specify the code reference number you are appealing.
 - 2. Detail why you are requesting the variance.
 - 3. Specify the modifications and or alterations you are suggesting.
- C. Relief from an administration decision. (Petition type: AA)
 - 1. Specify the decision being appealed and the relief you are seeking.
- D. Rescind a variance. (Petition type: RV)
 - 1. Detail the existing variance.
 - 2. Specify the reason the variance is no longer needed.

I am asking for an extension of time to complete the application process for the window variance for the upper bedroom windows. The process takes at least 3 months for the State of Indiana to process the application and send the variance to the owner. I will need an extension of time till December 30, 2011.

Signature (Required):

Candace A. Mullis

Name (Print):

Candace A. Mullis

Date:

10/11/11

Important information regarding this application format:

- 1. This form is designed to be filled out electronically, printed, then returned/submitted manually (e.g. postal mail).
- 2. This document may be saved on your computer for future use, however, any data that you have entered will not be saved.

Print Form



City of Bloomington
Housing and Neighborhood Development

Cycle Report

3119

OWNERS

Chester'S Rentals, Llc
1924 S. Dan Jones Road
Avon, IN 46123

AGENT

Parker Management
P.O. Box 1112
Bloomington, IN 47402

Prop. Location: 1711 N Lincoln ST
Date Inspected: 10/03/2011
Inspectors: Norman Mosier
Primary Heat Source: Electric
Property Zoning: RH
Number of Stories: 2

Number of Units/Structures: 1 / 1
Number of Bedrooms: 2
Max # of Occupants: 4
Foundation Type: Crawl Space
Attic Access: Yes
Accessory Structure: None

The Monroe County Assessor's records indicate that this structure was built in 1990.
Minimum egress requirements for a multi-family dwelling built at the time of construction.
Openable area: 5.7 Sq. Ft
Clear height: 24 inches
Clear width: 20 inches
Sill height: 44 inches above finished floor

EGRESS WINDOW MEASUREMENTS FOR UNIT ARE AS FOLLOWS:

The emergency egress windows do not meet the minimum requirements for a multi-unit structure built in 1990:

| | |
|---|---|
| <u>Openable area required: 5.7 sq. ft.</u> | <u>Existing area: 4.72sq. ft.</u> |
| Clear width required: 20 inches | Existing width: 34 inches |
| <u>Clear height required: 24 inches</u> | <u>Existing height: 20 inches</u> |
| Maximum sill height: 44 inches above finished floor | Existing sill: 36 inches above finished floor |

2-8

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

INTERIOR:

MAIN LEVEL

Living Room 17 x 12:

Repair the door to the deck to latch properly, backset stuck in place. PM-303.15

Porch:

Secure the handrail so it is capable of withstanding normally imposed loads.
PM-303.12 (exterior)

Kitchen:

No violations noted.

Bath/Utility Room:

No violations noted.

UPSTAIRS

Stairway/Hallway:

No violations noted.

Attic:

Restore the integrity of the draft stop/fire separation wall in the attic. Repairs shall be made using like construction and materials. Replacement shall be done in accordance with current code requirements. PM-703.1

N Bedroom 13 x 11: See egress window measurements at heading of report.

N Bath/Shower Room:

No violations noted.

S Bedroom 13 x 10: See egress window measurements at heading of report.

S Shower Room:

Interior walls shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster,
@ shower head. PM-304.3

Repair the surface of the ceiling to be free of holes, cracks, peeling paint and sagging
materials. PM-304.3

Toilet Room:

No violations noted.

Crawlspace:

No violations noted.

EXTERIOR:

No violations noted.

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: January 18, 2012

Petition Type: An extension of time to secure a state variance for egress windows.

Petition Number: 11-TV-141

Address: 1720 N. Lincoln St.

Petitioner: Parker Real Estate Mgmt.

Inspector: Norman Mosier

Staff Report: October 3, 2011- Conducted Cycle Inspection
October 17, 2011- Received BHQA Appeal
December 14, 2011 – BHQA Meeting cancelled, moved to January 11, 2012

Existing Egress Window Measurements: Dbl hung pop out: Const. Yr. – 1990
Openable Area: 4.72 sq. ft. Required Openable Area: 5.70 Sq. Ft.
Height: 20 inches Required height: 24 inches
Width: 34 inches Required Width: 20 inches
Sill Height: 36 inches Required Max. Sill Height: 44 inches above finished floor

It was noted during the cycle inspection that the upstairs bedroom windows do not meet egress requirements. Petitioner is requesting an extension of time to secure a state egress variance.

Staff recommendation: Grant the extension of time.

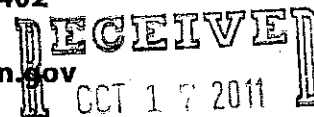
Conditions: A copy of the state egress variance must be received by the Housing and Neighborhood Development Office no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: March 18, 2012

Attachments: Cycle Report, BHQA Appeal, Petitioner's Letter



**Application For Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420
hand@bloomington.in.gov**



Property Address: 1720 N Lincoln St

BY:

Petitioner's Name: Candi Mullis/ Parker Real Estate Management

Address: 621 N Walnut St/ P.O. Box 1112

City: Bloomington

State: Indiana

Zip Code: 47408

Phone Number: (812) 339-2115

E-mail Address: cmullis@parkermgt.com

Owner's Name: Chester's Rentals LLC

Address: 1924 S. Dan Jones Rd

City: Avon

State: Indiana

Zip Code: 46123

Phone Number: 317-563-2845

E-mail Address:

Occupants: Stephanie Chin, Amy Korthauer



The following conditions must be found in each case in order for the Board to consider the request:

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Identify the variance type that you are requesting from the following drop down menu:

Variance Type: An extension of time to complete repairs. (Petition Type: TV)

Reminder:

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)

11-TV-141

Petition Number:

In the space provided below please write a brief narrative regarding your request. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting. The following information must be included dependent upon the type of variance you are requesting:

- A. An extension of time to complete repairs. (Petition type: TV)
 - 1. Specify the items that need the extension of time to complete.
 - 2. Explain why the extension is needed.
 - 3. Specify the time requested.
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
 - 1. Specify the code reference number you are appealing.
 - 2. Detail why you are requesting the variance.
 - 3. Specify the modifications and or alterations you are suggesting.
- C. Relief from an administration decision. (Petition type: AA)
 - 1. Specify the decision being appealed and the relief you are seeking.
- D. Rescind a variance. (Petition type: RV)
 - 1. Detail the existing variance.
 - 2. Specify the reason the variance is no longer needed.

I am asking for an extension of time to complete the application process for the window variance for the upper bedroom windows. The process takes at least 3 months for the State of Indiana to process the application and send the variance to the owner. I will need an extension of time till December 30, 2011.

Signature (Required):

Candace A. Mullis

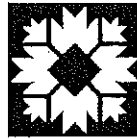
Name (Print): Candace A Mullis

Date: 10/11/11

Important information regarding this application format:

- 1. This form is designed to be filled out electronically, printed, then returned/submitted manually (e.g. postal mail).
- 2. This document may be saved on your computer for future use, however, any data that you have entered will not be saved.

Print Form



City of Bloomington
Housing and Neighborhood Development

Cycle Report

3124

OWNERS

Chester'S Rentals, Llc
1924 S. Dan Jones Road
Avon, IN 46123

AGENT

Parker Real Estate Management
Po Box 1112
Bloomington, IN 47402

Prop. Location: 1720 N Lincoln ST
Date Inspected: 10/03/2011
Inspectors: Norman Mosier
Primary Heat Source: Electric
Property Zoning: RH
Number of Stories: 2

Number of Units/Structures: 1 / 1
Number of Bedrooms: 2
Max # of Occupants: 4
Foundation Type: Crawl Space
Attic Access: Yes
Accessory Structure: None

The Monroe County Assessor's records indicate that this structure was built in 1990.
Minimum egress requirements for a multi-family dwelling built at the time of construction.
Openable area: 5.7 Sq. Ft
Clear height: 24 inches
Clear width: 20 inches
Sill height: 44 inches above finished floor

EGRESS WINDOW MEASUREMENTS FOR UNIT ARE AS FOLLOWS:

The emergency egress windows do not meet the minimum requirements for a multi-unit structure built in 1990:

| | |
|---|---|
| Openable area required: 5.7 sq. ft. | Existing area: 4.72sq. ft. |
| Clear width required: 20 inches | Existing width: 34 inches |
| Clear height required: 24 inches | Existing height: 20 inches |
| Maximum sill height: 44 inches above finished floor | Existing sill: 36 inches above finished floor |

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

INTERIOR:

MAIN LEVEL

Living Room 17 x 12:

No violations noted.

Porch:

Secure the handrail so it is capable of withstanding normally imposed loads.
PM-303.12 (exterior)

Kitchen:

Install a wire clamp on the garbage disposal. PM-605.1

Bath/Utility Room:

No violations noted.

UPSTAIRS

Stairway/Hallway:

No violations noted.

Attic:

No violations noted.

E Bedroom 13 x 11: See egress window measurements at heading of report.

E Bath/Shower Room:

Seal the top of the shower surround. PM-304.1

Repair/replace the defective diverter spout on the tub, stuck. PM-504.1

W Bedroom 13 x 10: See egress window measurements at heading of report.

W Shower Room:

No violations noted.

Toilet Room:

No violations noted.

Crawlspace:

No violations noted.

EXTERIOR:

No violations noted.

Other requirements:

Complete the enclosed registration form. A street address is required for both owner and agent.

This form must be signed by the owner. BMC16.12.060

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: 18 January 2012

Petition Type: An extension of time to complete repairs

Petition Number: 11-TV-142

Address: 410-412 S. Village Ct.

Petitioner: Nextwave Apartment Homes

Inspector: Michael Arnold

Staff Report: 25 July 2011 Cycle Inspection
02 August 2011 Cycle Report sent
10 October 2011 Sent Remaining Violations Report

Staff recommendation: To date, there has been no reinspection at this property. At the time of inspection this property was vacant. The petitioner is requesting additional time to find a contractor to do tree trimming.

Conditions: Tree trimming must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: 14 February 2012

Attachments: Remaining Violations Report, Application



**Application For Appeal
To The
Board of Housing Quality Appeals**
P.O. Box 100
Bloomington, IN 47402
812-349-3420
hand@bloomington.in.gov

RECEIVED
OCT 21 2011

BY: _____

Property Address: 410-412 Village Ct.

Petitioner's Name: Nextwave Apt. Homes

Address: 505 N Walnut St

City: Bloomington, State: IN Zip Code: 47404

Phone Number: 812-339-0799 Email Address: manager@nextwaveapts.com

Owner's Name: John Jacobs

Address: 505 N. Walnut St.

City: Bloomington, State: IN Zip Code: 47404

Phone Number: 812-339-0799 Email Address: _____

Occupants: 2

The following conditions must be found in each case in order for the Board to consider the request:

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Identify the variance type that you are requesting from the following drop down menu:

Variance Type: An extension of time to complete repairs. (Petition Type: TV)

Reminder:

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that month's agenda!

(Will be assigned by BHQA)

11-TV-142

Petition Number: _____

In the space provided below please write a brief narrative regarding your request. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting. The following information must be included dependent upon the type of variance you are requesting:

- A. An extension of time to complete repairs. (Petition type: TV)
 - 1. Specify the items that need the extension of time to complete.
 - 2. Explain why the extension is needed.
 - 3. Specify the time requested.
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
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 - 2. Detail why you are requesting the variance.
 - 3. Specify the modifications and or alterations you are suggesting.
- C. Relief from an administration decision. (Petition type: AA)
 - 1. Specify the decision being appealed and the relief you are seeking.
- D. Rescind a variance. (Petition type: RV)
 - 1. Detail the existing variance.
 - 2. Specify the reason the variance is no longer needed.

Have scheduled tree trimming @ a later date due to current tree/landscaper not comfortable w/ liability.

Signature (Required):

LA Florace

Name (Print):

Lauren Adair - Florace

Date:

9/30/11

Important information regarding this application format:

1. This form is designed to be filled out electronically, printed, then returned/submitted manually (e.g. postal mail).
2. This document may be saved on your computer for future use, however, any data that you have entered will not be saved.

Print Form



**City of Bloomington
Housing and Neighborhood Development**

OCT 10 2011

Remaining Violation Report

3610

OWNERS

=====

Nextwave Management Group, LLC
505 N. Walnut St.
Bloomington, IN 47404

AGENT

=====

Buckingham Companies, LLC
2900 W. Ridge Road
Bloomington, IN 47403

Prop. Location: 410-412 S Village CT
Date Inspected: 07/25/2011
Inspectors: Mike Arnold
Primary Heat Source: Gas
Property Zoning: PUD
Number of Stories: 1

Number of Units/Structures: 2 / 1
Number of Bedrooms: 3 each unit
Max # of Occupants: 5 each unit
Foundation Type: Slab
Attic Access: Yes
Accessory Structure: none

Note: According to Monroe County records this structure was built in 1991. The minimum requirements for emergency egress at the time of construction were:

Height: 24 inches
Width: 18 inches
Sill Height: 44 inches
Openable Area: 4.75 sq. ft.

Existing Egress Window Measurements:

Height: 51.5 inches (both sashes removed)
Width: 24.5 inches
Sill Height: 28.5 inches
Openable Area: 8.75 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

REINSPECTION REQUIRED

This report is your final notice from the Housing and Neighborhood Development Office that this rental property continues to be in violation of the Housing-Property Maintenance Code of Bloomington.

If you have made all of the repairs on this report, contact our office immediately to schedule the required re-inspection.

Failure to make repairs or to schedule the required re-inspection will result in this matter being referred to the City Legal Department. Legal action may be initiated against you under Section 16.12.100 of the Bloomington Municipal Code.

It is your responsibility to contact the Housing and Neighborhood Development Office to schedule the required re-inspection. Our mailing address and telephone number are listed below.

Interior:

Unit 410:

Kitchen (17-0 x 10-0):

Replace the missing burner on the range top. PM-603.1

Repair the broken window. PM-303.13 (West wall)

Secure the flooring at the laundry closet. PM-304.3

Repair the door frame at the door to the exterior. PM-304.3

NW Bedroom (11-4 x 9-6):

Repair the broken window. PM-303.13

Bathroom:

Seal edge of floor covering adjacent to bathtub. PM-304.1

Unit 412:

Exterior:

Remove the vines from the emergency egress windows. PM-PM-302.4

Trim all tree branches away from the siding and roofline to maintain a 3' clearance. PM-302.4.1

Repair the deck railings. PM-302.7

Repair/remove the railing at the entry to 410. PM-302.7

Required Documentation:

A completed copy of the Tenants & Owners Rights and Responsibilities Summary was not provided to the office or reviewed with the inspector within 60 days of the date of the inspection, **therefore a \$25.00 fine has been be levied.BMC16.12.050 (d).**

A completed copy of the Inventory & Damage List was not provided to the office or reviewed with the inspector within 60 days of the date of the inspection, **therefore a \$25.00 fine has been be levied. BMC16.12.040**

Thoroughly clean and service the furnace, inspect and test shut off valves for proper operation. Documentation from a professional HVAC contractor for this service is acceptable and encouraged. Servicing shall include a test for carbon monoxide. Acceptable levels of carbon monoxide are as follows:

| | |
|--|---------------------------|
| Desired level: | 0 parts per million (ppm) |
| Acceptable level in a living space: | 9 ppm |
| Maximum concentration for flue products: | 50 ppm |

PM-603.1

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: January 18, 2012

Petition Type: An extension of time to complete apartment housekeeping.

Petition Number: 11-TV-144

Address: 120 S. Kingston Dr. Unit F73

Petitioner: Jan Neff/Thomas Maddox

Inspector: Mosier/ Arnold

Staff Report: September 27, 2011 – Conducted Cycle Inspection
September 30, 2011 - Sent Cycle Report and Tenant Violations
October 24, 2011 – Sent Tenant Violation Remaining Violations Report
October 25, 2011 – Tenant Scheduled Tenant Violation Re-inspection and
appealed to the BHQA for an Extension of time to complete housekeeping of unit.
December 14, 2011 – BHQA Meeting Cancelled, moved to January 18, 2012

It was noted during the cycle inspection that this unit has excessive clutter, tenant received a
tenant violation for housekeeping and is requesting an extension of time to complete the
housekeeping.

Staff recommendation: Grant the request

Conditions: All repairs must be completed and re-inspected no later than the
deadline stated below, or this case will be turned over to the City
of Bloomington Legal Department for further action including the
possibility of fines.

Compliance Deadline: January 20, 2012

Attachments: Tenant Violation Report, BHQA Appeal, Petitioner's Letter



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

RECEIVED
OCT 23 2011

BY: _____

Petitioner's Name: MR. DAN E. NEFF / MR. THOMAS MATTOX

Petitioner's Address & Phone Number: 120 S. KINGSTON ST. # 73FB / BLOOMINGTON, IN
219-5871 47408

Owner's Name: CONNIE KNOX

Owner's Address & Phone Number: 120 S. KINGSTON ST # B13

Address of Property: 120 S. KINGSTON ST # 73F

Occupant(s) Name(s): THOMAS MATTOX, DAN NEFF

The following conditions must be found in each case in order for the Board to consider the request:

1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.

- ☒ A. An extension of time to complete repairs. (Petition type: TV)
↳ Specify the items that need the extension of time to complete
↳ Explain why the extension is needed
↳ Specify the time requested
- ☐ B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
↳ Specify the code reference number you are appealing
↳ Detail why you are requesting the variance
↳ Specify the modifications and or alterations you are suggesting
- ☐ C. Relief from an administration decision. (Petition type: AA)
↳ Specify the decision being appealed and the relief you are seeking
- ☐ D. Rescind a variance. (Petition type: RV)
↳ Detail the existing variance
↳ Specify the reason the variance is no longer needed

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: Dan E. Neff

Name (print): MR. DAN E. NEFF

(Will be assigned by BHQA)

11-TV-144

Petition Number: _____

(Please use the reverse side for further explanation and/or request)



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

(Please write a brief narrative in the space provided below. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting.)

MR. THOMAS MATTOX is in critical care - Bloom-Hosp.

He was going to help me re-arrange - etc.

I. Have been selling off personal property
in order to free up space. this will be
on going the next few weeks. So far is
working! Thanks. Jan Noff - Thomas Mattox

Signature:

Jan E. Noff

Date:

10-25-1011



City of Bloomington
Housing and Neighborhood Development

TENANT
REMAINING
VIOLATIONS REPORT

OCT 24 2011

480

OWNERS

Distinct Real Estate Management
333 N Jefferson # 606
Chicago, IL 60661

TENANT:

TOM MADDOX
120 s. Kingston Dr. Apt. # F73
Bloomington, In. 47408

AGENT

Knoy, Connie
120 S. Kingston Apt. B13
Bloomington, IN 47408

Prop. Location: 120 S Kingston DR
Date Inspected: 09/27/2011
Inspectors: Norman Mosier
Primary Heat Source: Electric
Property Zoning: RH
Number of Stories: 2

Number of Units/Structures: 75 / 6
Number of Bedrooms: 1,2,3
Max # of Occupants: 2/3/5
Foundation Type: Basement
Attic Access: No
Accessory Structure: None

REINSPECTION REQUIRED

During an inspection for renewal of the Rental Occupancy Permit on this property, violations were noted that are the responsibility of the tenant(s) to correct. This report is your final notice from the Housing and Neighborhood Development Office that this rental property continues to be in violation of the Housing-Property Maintenance Code of Bloomington. If you have made all of the repairs on this report, contact our office immediately to schedule the required re-inspection.

Failure to make repairs or to schedule the required re-inspection will result in this matter being referred to the City Legal Department. Legal action may be initiated against you under Section 16.12.100 of the Bloomington Municipal Code.

It is your responsibility to contact the Housing and Neighborhood Development Office to schedule the required re-inspection. Our mailing address and telephone number are listed below.

BLDG F

Apt. 73

HOUSEKEEPING:

During an inspection for renewal of the Rental Occupancy Permit on this property, violations were noted that are the responsibility of the tenant(s) to correct. The violations must be corrected and re-inspected for compliance with the Property Maintenance Code within **14 days** of the date on which this notice was mailed. **It is the responsibility of the tenant to contact this office to schedule the required re-inspection at 349-3420. Any questions can be addressed to the inspector at 349-3420.**

Every occupant of a structure or part thereof shall keep that structure or part thereof which the tenant occupies, controls or uses in a clean and sanitary condition. **Clean and sanitize the entire apartment. PM-304.1.**



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: January 18, 2012

Petition Type: An extension of time to secure a state egress variance.

Petition Number: 11-TV-146

Address: 1212 S. College Mall Rd.

Petitioner: Sandra Ortiz

Inspector: Norman Mosier

Staff Report: September 6, 2011 – Conducted Cycle Inspection
October 25, 2011 – Conducted Re-inspection
October 26, 2011 – Received BHQA Appeal
December 14, 2011 – BHQA Meeting Cancelled, moved to January 11, 2012

Existing Egress Window Measurements: Casement: Const. Yr. – 1987

Openable Area: 5.40 sq. ft. Required Openable Area: 5.70 Sq. Ft.

| | |
|---------------------------------|--|
| Height: 37 inches | Required height: 24 inches |
| Width: 21 inches | Required Width: 20 inches |
| Sill Height: 43.5 inches | Required Max. Sill Height: 44 inches above finished floor |

It was noted during the cycle inspection the egress windows do not meet egress requirements. And the petitioner needs to secure a state egress variance from the Fire Prevention and Building Safety Commission, Department of Homeland Security.

Staff recommendation: Grant the request

Conditions: A copy of the state variance must be received by the Housing and Neighborhood Development Office no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: March 18, 2012

Attachments: Cycle Report, BHQA Appeal, Petitioner's Letter



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

RECEIVED
OCT 2 2011

BY: _____

Petitioner's Name: SANDRA ORTIZ

Petitioner's Address & Phone Number: 3001 Olcott Blvd Bloomington

Owner's Name: SANDRA ORTIZ (812) 272-4872

Owner's Address & Phone Number: 3001 Olcott Blvd, Bloomington

Address of Property: 1212 College Mall Road

Occupant(s) Name(s): Caroline Angelard

The following conditions must be found in each case in order for the Board to consider the request:

1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.

- ☒ A. An extension of time to complete repairs. (Petition type: TV)
↳ Specify the items that need the extension of time to complete
↳ Explain why the extension is needed
↳ Specify the time requested
- ☐ B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
↳ Specify the code reference number you are appealing
↳ Detail why you are requesting the variance
↳ Specify the modifications and or alterations you are suggesting
- ☐ C. Relief from an administration decision. (Petition type: AA)
↳ Specify the decision being appealed and the relief you are seeking
- ☐ D. Rescind a variance. (Petition type: RV)
↳ Detail the existing variance
↳ Specify the reason the variance is no longer needed

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: _____

Name (print): SANDRA ORTIZ

(Will be assigned by BHQA)

11-TV-146

Petition Number: _____

(Please use the reverse side for further explanation and/or request)



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

(Please write a brief narrative in the space provided below. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting.)

I just talked to the inspector
and sent papers this week.
He told me it could take a
couple of months.
I am asking for six months.

Signature: _____

Date: _____

10/28/11



City of Bloomington
Housing and Neighborhood Development

Cycle Report

211

OWNERS

ORTIZ, SANDRA M.
3001 OLCOTT BLVD
BLOOMINGTON, IN 47401

Prop. Location: 1212 S COLLEGE MALL RD
Date Inspected: 09/06/2011
Inspectors: Norman Mosier
Primary Heat Source: Gas
Property Zoning: RM
Number of Stories: 2

Number of Units/Structures: 1 / 1
Number of Bedrooms: 2
Max # of Occupants: 2
Foundation Type: Slab
Attic Access: Yes
Accessory Structure: None

The Monroe County Assessor's records indicate that this structure was built in 1987.
Minimum egress requirements for a multi family dwelling at the time of construction.
Openable area: 5.7 Sq. Ft.
Clear height: 24 inches
Clear width: 20 inches
Sill height: 44 inches above the finished floor

EGRESS WINDOW MEASUREMENTS FOR UNIT ARE AS FOLLOWS:

Existing Egress Window Measurements: Casement: Const. Yr. - 1987

Height: 37 inches
Width: 21 inches
Sill Height: 43.5 inches
Openable Area: 5.40 sq. ft.

The emergency egress windows do not meet the minimum requirements for a multi-unit structure built in 1987:

Openable area required: 5.7 sq. ft.

Existing area: 5.40 sq. ft.

Clear width required: 20 inches

Existing width: 21 inches

Clear height required: 24 inches

Existing height: 37 inches

Maximum sill height: 44 inches above finished floor

Existing sill: 43.5 inches above finished floor

The emergency egress windows do not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

INTERIOR:

Living Room 15-6 x 10-10, Deck, Hallway, Utility Closet:

No violations noted.

Furnace Closet:

Thoroughly clean and service the furnace, inspect and test shut off valves for proper operation. Documentation from a professional HVAC contractor for this service is acceptable and encouraged. Servicing shall include a test for carbon monoxide. Acceptable levels of carbon monoxide are as follows:

Desired level: 0 parts per million (ppm)
Acceptable level in a living space: 9 ppm
Maximum concentration for flue products: 50 ppm
PM-603.1

Kitchen:

Repair garbage disposal to function as intended. PM-504.1 & PM-605.1

Tighten the loose sink faucet. PM-504.1

Hall Bath:

No violations noted.

S Bedroom 10-9 x 9: See egress window measurements at heading of report.

No violations noted.

N Bedroom 10-10 x 10-7: See egress window measurements at heading of report.

No violations noted.

Bathroom:

No violations noted.

EXTERIOR:

No violations noted.

OTHER REQUIREMENTS:

Required documentation:

C A completed copy of the Tenants and Owners Rights and Responsibilities Summary must be provided to this office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC 16.12.050 (d)

Required documentation:

C The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. **A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC16.12.040**

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: January 18, 2012

Petition Type: An extension of time to complete repairs.

Petition Number: 11-TV-147

Address: 3101 S. Piccadilly St.

Petitioner: Alexander Ferenczy

Inspector: John Hewett

Staff Report: July 21, 2011 Cycle Inspection with tenant
 August 1, 2011 Report was sent
 October 19, 2011 RV report sent
 October 31, 2011 Received appeal.

The owner has requested an extension of time to complete repairs.

Staff recommendation: grant the extension.

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: January 19, 2012 for all violations.

Attachments: RV report, Petitioner's letter.



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

RECEIVED
OCT 21 2011

Petitioner's Name: ALEXANDER FERENCZY

BY: _____

Petitioner's Address & Phone Number: 1105 S. CRICKET KNOLL, BTDWN, 47401-8105
812.219 6638

Owner's Name: SAME

Owner's Address & Phone Number: SAME

Address of Property: 3101 S. PICCADILLY ST, BTDWN, IN 47401-8691

Occupant(s) Name(s): CARAME'E BRYANT

The following conditions must be found in each case in order for the Board to consider the request:

1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.



A. An extension of time to complete repairs. (Petition type: TV)

- ↳ Specify the items that need the extension of time to complete
- ↳ Explain why the extension is needed
- ↳ Specify the time requested



B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)

- ↳ Specify the code reference number you are appealing
- ↳ Detail why you are requesting the variance
- ↳ Specify the modifications and or alterations you are suggesting



C. Relief from an administration decision. (Petition type: AA)

- ↳ Specify the decision being appealed and the relief you are seeking



D. Rescind a variance. (Petition type: RV)

- ↳ Detail the existing variance
- ↳ Specify the reason the variance is no longer needed

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: _____

Name (print): ALEXANDER FERENCZY

(Will be assigned by BHQA)

11-TV-147

Petition Number: _____

(Please use the reverse side for further explanation and/or request)



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

(Please write a brief narrative in the space provided below. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting.)

VARIANCE APPLIED FOR RE: 1973 INDIANA BUILDING CODE
SECTION # 1204

3 UPSTAIR WINDOWS; [1 IN EACH OF 3 BEDROOMS]

REQUEST THEY BE GRANTED VARIANCE AS
EMERGENCY EGRESS WINDOWS SO THEY
DON'T NEED REPLACEMENT.

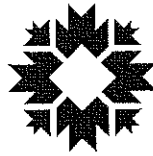
ALL PAPERWORK FILED @ HOMELAND SECURITY
INDIANAPOLIS, IN ATTN: MARA SNYDER

Signature: _____

[Handwritten Signature]

Date: _____

10.30.2011



City of Bloomington
Housing and Neighborhood Development

Remaining Violation Report

7240

OWNERS

=====

Ferency, Alexander
1105 S. Cricket Knoll
Bloomington, IN 47401

AGENT

=====

Bryan, Carame'E
3101 S. Piccadilly Street
Bloomington, IN 47401

Prop. Location: 3101 S Piccadilly ST
Date Inspected: 07/21/2011
Inspectors: John Hewett
Primary Heat Source: Gas
Property Zoning: RM
Number of Stories: 2

Number of Units/Structures: 1 / 1
Number of Bedrooms: 3
Max # of Occupants: 5
Foundation Type: Slab
Attic Access: Yes
Accessory Structure:

REINSPECTION REQUIRED

This report is your final notice from the Housing and Neighborhood Development Office that this rental property continues to be in violation of the Housing-Property Maintenance Code of Bloomington.

If you have made all of the repairs on this report, contact our office immediately to schedule the required re-inspection.

Failure to make repairs or to schedule the required re-inspection will result in this matter being referred to the City Legal Department. Legal action may be initiated against you under Section 16.12.100 of the Bloomington Municipal Code.

It is your responsibility to contact the Housing and Neighborhood Development Office to schedule the required re-inspection. Our mailing address and telephone number are listed below.

401 N. Morton
PO Box 100
Bloomington, IN 47402

City Hall

www.bloomington.in.gov/hand

Rental Inspections: (812) 349-3420

Housing Division: (812) 349-3401

Fax: (812) 349-3582

Monroe County Assessor's records indicate this structure was built in 1974.

Minimum emergency egress requirements for the time of construction:

Openable area required: 5 sq. ft.

Clear width required: 22"

Clear height required: 22"

Maximum Allowable Sill Height: 48" above finished floor

Interior

Living room

14-2 x 23-4

No violations noted.

Kitchen

8-7 x 10-9

A minimum 1A 10BC classification fire extinguisher shall be **mounted in a visible, accessible location, in or adjacent to the kitchen, away from the range, and in the path of egress.** The securing mechanism must be no more than 5 feet above the floor. PM-704.3.

All fire extinguishers must be inspected every 30 days and a record of that inspection shall be kept. Metal head extinguishers shall be subjected to maintenance at intervals of not more than one (1) year and shall have a tag or label securely attached that indicates the month and year the maintenance was performed as well as the identity of the person/company performing the service. Metal head extinguishers must be recharged every six years and hydro-tested every 12 years per NFPA-10. Plastic head extinguishers must be replaced every 12 years per NFPA-10. PM-704.3

½ bath

No violations noted.

Garage

No violations noted.

2nd Floor

Bathroom

No violations noted.

NW bedroom 9-11 x 9-11, NE bedroom 10-11 x 9-5, SE bedroom 12-9 x 9-8

The emergency egress windows do not meet the minimum requirements for a multi-unit structure built in 1974: The relevant code is the 1973 Indiana Building Code, Section 1204

| | | | |
|----------------------------------|--------------------------|----------------------------|---------|
| Openable area required: | 5 sq. ft. | Existing area: | sq. ft. |
| Clear width required: 22" | | Existing width: 18" | |
| Clear height required: | 22" | Existing height: | 48.5" |
| Maximum sill height: | 48" above finished floor | Existing sill: | 26" |

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to

Downloadable Forms and Documents and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

Attic access painted shut.

Exterior

No violations noted.

Other requirements

Required documentation:

A completed copy of the Tenants and Owners Rights and Responsibilities Summary must be provided to this office or reviewed with the inspector within 60 days of the date of the inspection **or a \$25.00 fine will be levied. BMC 16.12.050 (d)**

Required documentation:

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. **A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC16.12.040**

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



City of Bloomington
Housing and Neighborhood Development

Amended Cycle Report

7240

OWNERS

FERENCY, ALEXANDER
1105 S. CRICKET KNOLL
BLOOMINGTON, IN 47401

AGENT

BRYAN, CARAM'E
3101 S. PICCADILLY STREET
BLOOMINGTON IN 47401

| | |
|--------------------------------------|-----------------------------------|
| Prop. Location: 3101 S PICCADILLY ST | Number of Units/Structures: 1 / 1 |
| Date Inspected: 07/21/2011 | Number of Bedrooms: 3 |
| Inspectors: John Hewett | Max # of Occupants: 5 |
| Primary Heat Source: Gas | Foundation Type: Slab |
| Property Zoning: RM | Attic Access: Yes |
| Number of Stories: 2 | Accessory Structure: |

Monroe County Assessor's records indicate this structure was built in 1974. There were no minimum size requirements for emergency egress windows at the time of construction.

Interior

Living room

14-2 x 23-4

No violations noted.

Kitchen

8-7 x 10-9

A minimum 1A 10BC classification fire extinguisher shall be **mounted in a visible, accessible location, in or adjacent to the kitchen, away from the range, and in the path of egress.** The securing mechanism must be no more than 5 feet above the floor. PM-704.3.

All fire extinguishers must be inspected every 30 days and a record of that inspection shall be kept. Metal head extinguishers shall be subjected to maintenance at intervals of not more than one (1) year and shall have a tag or label securely attached that indicates the month and year the maintenance was performed as well as the identity of the person/company performing the service. Metal head extinguishers must be

401 N. Morton
PO Box 100
Bloomington, IN 47402

City Hall

www.bloomington.in.gov/hand

Rental Inspections: (812) 349-3420

Housing Division: (812) 349-3401

Fax: (812) 349-3582

recharged every six years and hydro-tested every 12 years per NFPA-10. Plastic head extinguishers must be replaced every 12 years per NFPA-10. PM-704.3

½ bath

No violations noted.

Garage

No violations noted.

2nd Floor

Bathroom

No violations noted.

NW bedroom 9-11 x 9-11, NE bedroom 10-11 x 9-5, SE bedroom 12-9 x 9-8

Existing Egress Window Measurements:

Height: 48.5 inches

Width: 18 inches

Sill Height: 26 inches

Openable Area: sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Attic access painted shut.

Exterior

No violations noted.

Other requirements

Required documentation:

A completed copy of the Tenants and Owners Rights and Responsibilities Summary must be provided to this office or reviewed with the inspector within 60 days of the date of the inspection **or a \$25.00 fine will be levied. BMC 16.12.050 (d)**

Required documentation:

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. **A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC16.12.040**

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: January 18, 2012

Petition Type: An extension of time to complete repairs.

Petition Number: 11-TV-148

Address: 1010 E. Maxwell Lane

Petitioner: Kenneth Harding for Guy Leonard

Inspector: Jo Stong

Staff Report: August 25, 2011: Conducted cycle inspection
August 31, 2011: Mailed cycle report
October 31, 2011: Spoke with Ken Harding. Tenant has moved out but repairs are not completed. Property will not be occupied again until it has been reinspected. Received appeal on this date.

During a cycle inspection violations of the Property Maintenance Code were noted. The petitioner states that there was extensive damage caused by the tenant, and is seeking an extension of time to complete repairs. The property is currently vacant.

Staff recommendation: Grant the extension of time

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: February 14, 2012 or prior to property being occupied

Attachments: Cycle report, appeal



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

RECEIVED
OCT 31 2011

BY: _____

Petitioner's Name: Guy Leonard (Kenneth Harding) Agent

Petitioner's Address & Phone Number: PO Box 804, Bloomington, IN 47402 (812) 332-9351

Owner's Name: Guy Leonard

Owner's Address & Phone Number: PO Box 804, Bloomington, IN 47402

Address of Property: 1010 Maxwell, Bloomington, IN

Occupant(s) Name(s): None

The following conditions must be found in each case in order for the Board to consider the request:

1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.



A. An extension of time to complete repairs. (Petition type: TV)

- ↳ Specify the items that need the extension of time to complete
- ↳ Explain why the extension is needed
- ↳ Specify the time requested



B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)

- ↳ Specify the code reference number you are appealing
- ↳ Detail why you are requesting the variance
- ↳ Specify the modifications and or alterations you are suggesting



C. Relief from an administration decision. (Petition type: AA)

- ↳ Specify the decision being appealed and the relief you are seeking



D. Rescind a variance. (Petition type: RV)

- ↳ Detail the existing variance
- ↳ Specify the reason the variance is no longer needed

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: [Signature] Agent for Guy Leonard

(Will be assigned by BHQA)

11-TV-148

Name (print): Kenneth Harding

Petition Number: _____

(Please use the reverse side for further explanation and/or request)



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

(Please write a brief narrative in the space provided below. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting.)

Need additional time to complete repairs due to
extensive damage caused by tenants. MAXIMUM of 3 mo.

Signature: _____

Date: Oct. 31, 2011



**City of Bloomington
Housing and Neighborhood Development**

Cycle Report

1391

OWNERS

LEONARD, GUY W.
11375 REIGER ROAD #903
BATON ROUGE, LA 70809-4666

AGENT

HARDING, KENNETH
1709 W. 8TH STREET #7
BLOOMINGTON IN 47404

Prop. Location: 1010 E MAXWELL LN
Date Inspected: 08/25/2011
Inspectors: Jo Stong
Primary Heat Source: Gas
Property Zoning: RS
Number of Stories: 1

Number of Units/Structures: 1 / 1
Number of Bedrooms: 3
Max # of Occupants: 3
Foundation Type: Slab
Attic Access: No
Accessory Structure: Garage

Monroe County Assessor's records indicate this structure was built in 1950.
There were no requirements for emergency egress at the time of construction.

INTERIOR:

Entry:

Properly repair the storm door. PM-303.13

Living Room (22-7 x 13-4):

Properly cap old woodstove chimney access in ceiling. PM-304.3

Kitchen (6-0 x 3-10):

Repair the faucet sprayer on the sink to function as intended by the manufacturer, or remove and properly terminate the line for the sprayer. PM-504.1

Properly repair the threshold at the entry. PM-304.4

Mechanical Room:

Properly ground the electrical receptacle on the south wall. If the receptacle is on an ungrounded system, it is acceptable to install a 2-pole, ungrounded receptacle, or a GFCI receptacle. PM-605.1

Repair the entry door to be weather tight. No gaps shall be visible around the edges. PM-303.13

Properly seal the hole in the wall for the dryer vent. PM-304.3, PM-303.5

Hallway:

No violations noted.

Northeast Bedroom (13-0 x 11-4):

No violations noted.

Existing Egress Window Measurements (double-hung):

Height: 23 inches

Width: 34 inches

Sill Height: 31 ½ inches

Openable Area: 5.43 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Bathroom:

Properly seal the entire perimeter of the tub/shower including the floor. PM-304.3

Southwest Bedroom (11-9 x 10-1):

Replace the doorknob. PM-304.6

Repair the light switch to function as intended. PM-605.1

Properly repair or replace loose, damaged, or missing floor covering. PM-304.4

Repair the window to function as intended. PM-303.13

Window will be measured at the reinspection.

Southeast Bedroom (11-6 x 11-0):

Repair the east window to open. Every window shall be capable of being easily opened and held in position by its own hardware. PM-303.13.2

Provide a screen for the south window. From May 15th to October 15th of each year, every door opening directly from any rental unit to the outdoors, and every window or other outside opening used for ventilation purposes shall be supplied with approved screening. PM-303.14

Existing Egress Window Measurements (double-hung, metal frame):

Height: 23 inches

Width: 31 ½ inches

Sill Height: 30 ½ inches

Openable Area: 5.03 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

EXTERIOR:

Clean debris from the roof, gutters and downspouts. PM-303.7

Ensure that the metal stove chimney is in good repair and weather tight. PM-303.11

Remove the brush piles. PM-102.3 & PM-302.1

Scrape and paint exterior surfaces where paint is peeling or wood is exposed. PM-303.2
(this violation has a one-year deadline from the date of the cycle inspection)

Garage:

Repair the broken window. PM-303.13

Properly repair the east entry door. PM-303.13

OTHER REQUIREMENTS:

Required documentation:

A completed copy of the Tenants & Owners Rights and Responsibilities Summary must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC16.12.050 (d).

Required documentation:

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. A completed copy of the Inventory & Damage List must be provided to

the office or reviewed with the inspector within 60 days of the date of the inspection or a
\$25.00 fine will be levied. BMC16.12.040

**When issued, a copy of the new Rental Occupancy Permit shall be posted as required by
BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit
displayed in an accessible location inside the unit. The permit shall contain the name of the
owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)**

Thank you for your cooperation in the Residential Rental Occupancy Permit Program.



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: January 18, 2012

Petition Type: An extension of time to complete repairs.

Petition Number: 11-TV-149

Address: 3496 S Oaklawn Circle

Petitioner: Lorraine M. Fowler

Inspector: John Hewett

Staff Report: August 16, 2011 Cycle Inspection
September 2, 2011 re-measured windows
September 9, 2011 sent report
November 3, 2011 received a copy of State Appeal
November 9, 2011 Received appeal to BHQA

Bedroom Egress window information:

| | |
|---|---|
| Openable area required: 5.0 sq. ft. ground floor, 5.7 all other | Existing area: 5.19 (2 nd floor) |
| Clear width required: 20" | Existing width: 31.5 |
| Clear height required: 22" | Existing height: 23.75 |
| Maximum Allowable Sill Height: 44" above finished floor | Existing sill: 23" and 27 " |

Staff recommendation: Grant the extension

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: February 14, 2012

Attachments: Cycle inspection report, petitioner's letter



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

RECEIVED
NOV 09 2011

Petitioner's Name: Lorraine M. Fowler (property manager) BY: _____

Petitioner's Address & Phone Number: 7150 S. Lucas Road, Bloomington, IN 47401

Owner's Name: Arthur & Mary Starts (landlords) 824-1350

Owner's Address & Phone Number: 8070 SW 19th, Aloha, Oregon 97007

Address of Property: 3496 S Oaklawn Circle, Bloomington, Indiana

Occupant(s) Name(s): Martin Beeve and two children (teenagers) 47401

The following conditions must be found in each case in order for the Board to consider the request:

1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.

- ☒ A. An extension of time to complete repairs. (Petition type: TV)
↳ Specify the items that need the extension of time to complete
↳ Explain why the extension is needed
↳ Specify the time requested
- ☐ B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
↳ Specify the code reference number you are appealing
↳ Detail why you are requesting the variance
↳ Specify the modifications and or alterations you are suggesting
- ☐ C. Relief from an administration decision. (Petition type: AA)
↳ Specify the decision being appealed and the relief you are seeking
- ☐ D. Rescind a variance. (Petition type: RV)
↳ Detail the existing variance
↳ Specify the reason the variance is no longer needed

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: Lorraine Fowler

Name (print): Lorraine Fowler

(Will be assigned by BHQA)

11-TV-149

Petition Number: _____

(Please use the reverse side for further explanation and/or request)

October 27th, 2011

To Whom It May Concern,

We've given John Haines approval to fill in code site for variance approval for **2 PROPERTIES, 3496 and 3498 South Oaklawn Circle, Bloomington, Indiana 47401**. The Bloomington HAND Department has sent us a violation on one of our properties, 3496 South Oaklawn Circle, but we trust this variance application and payment will suffice for **both properties** as they're identical, it's a duplex, their HAND permit expiration dates simply are different and we're trying to avoid this expense that will surely come up when the other property comes due for approval. Thank you for your understanding and cooperation.

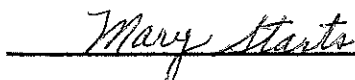
Regards,



Lorraine Fowler, Property Manager



Art Starts, Owner



Mary Starts, Owner



**City of Bloomington
Housing and Neighborhood Development**

RENTAL PERMIT INFORMATION

SEP 09 2011

Arthur & Mary Starts
8070 S.W. 191st Street
Beaverton, OR 97007

Property Location: 3496 S. Oaklawn Circle

Please find enclosed the Cycle Inspection Report which detail recommendations and violations found during the recent inspection of your rental property. You have sixty (60) days from the date of this letter to correct the violations listed on the report.

Once violations have been corrected, it is your responsibility to call the Housing and Neighborhood Development office by **NOV 09 2011** to schedule a re-inspection. You have the right to appeal any violation to the Board of Housing Quality Appeals. An appeal form can be found at www.bloomington.in.gov/hand. If you do not have access to the internet, you may contact HAND at 812-349-3420 and a form will be provided.

This report is issued in accordance with Section PM106.1 and PM106.2 of the Housing-Property Maintenance Code. Residential Rental Occupancy Permits will not be issued until all interior and exterior violations have been corrected, and all fees have been paid. Please be advised that non-compliance by the deadlines listed in this letter can limit the permit period to a maximum of three (3) years. A copy of the Notice of Fees can be found at www.bloomington.in.gov/hand. If you do not have access to the internet, you may contact HAND at 349-3420 and a form will be provided.

If your address has changed since your last inspection, please submit a new registration form to the HAND Department. You can find the registration form online at the website listed above. If you do not have internet access, you may contact HAND at 812-349-3420 and a form will be mailed.

If you have any questions regarding the permit process, please call weekdays between 8:00 a.m. and 5:00 p.m., at (812) 349-3420.

Sincerely,

Housing and Neighborhood Development Department

Enclosures: Inspection Report

Xc: Lorraine Fowler



City of Bloomington Housing and Neighborhood Development

Cycle Report

7539

OWNERS

STARTS, ARTHUR E. & MARY M.
8070 S.W. 191ST STREET
BEAVERTON, OR 97007

AGENT

FOWLER, LORRAINE M.
7150 LUCAS LANE
BLOOMINGTON IN 47401

| | |
|------------------------------------|-----------------------------------|
| Prop. Location: 3496 S OAKLAWN CIR | Number of Units/Structures: 1 / 1 |
| Date Inspected: 08/16/2011 | Number of Bedrooms: 3 |
| Inspectors: John Hewett | Max # of Occupants: 3 |
| Primary Heat Source: Gas | Foundation Type: Slab |
| Property Zoning: PUD | Attic Access: Yes |
| Number of Stories: 2 | Accessory Structure: |

Monroe County Assessor's records indicate this structure was built in 2004.
Minimum requirements for emergency egress windows at the time of construction.

Openable area required: 5.7 sq. ft.-5.0 grade floor windows
Clear width required: 20"
Clear height required: 22"
Maximum Allowable Sill Height: 44" above finished floor

Interior

Living room

20-9 x 10-7

No violations noted.

Kitchen

5-10 x 12-1

No violations noted.

Dining room

9-9 x 8-3

No violations noted.

73

Garage

No violations noted.

½ Bathroom

No violations noted.

2nd Floor

S bedroom 10-3 x 11-3

The emergency egress window does not meet the minimum requirements for a one and two family dwelling built in 2004:

| | | |
|-------------------------|---------------------------|-----------------------------|
| Openable area required: | 5.7 sq. ft. | Existing area: 5.19 sq. ft. |
| Clear width required: | 20 " | Existing width: 31.5 " |
| Clear height required: | 22 " | Existing height: 23.75 " |
| Maximum sill height: | 44 " above finished floor | Existing sill: 27 " |

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

Center bedroom 11-3 x 9-10, N bedroom 15-0 x 10-11

The emergency egress window does not meet the minimum requirements for a one and two family dwelling built in 2004:

| | | |
|-------------------------|---------------------------|-----------------------------|
| Openable area required: | 5.7 sq. ft. | Existing area: 5.19 sq. ft. |
| Clear width required: | 20 " | Existing width: 31.5 " |
| Clear height required: | 22 " | Existing height: 23.75 " |
| Maximum sill height: | 44 " above finished floor | Existing sill: 23 " |

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

Bathroom

No violations noted.

Exterior

No violations noted.

Other requirements

Required documentation:

A completed copy of the Tenants and Owners Rights and Responsibilities Summary must be provided to this office or reviewed with the inspector within 60 days of the date of the inspection or a **\$25.00 fine will be levied. BMC 16.12.050 (d)**

Required documentation:

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. **A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC16.12.040**

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: January 18, 2012

Petition Type: An extension of time to complete repairs.

Petition Number: 11-TV-150

Address: 1021 E. Azalea Dr.

Petitioner: Chris Hawes

Inspector: Norman Mosier

Staff Report: August 15, 2011 – Conducted Cycle Inspection
October 25, 2011 – Scheduled Re-inspection for 11/10/2011
November 10, 2011 – Cancelled Re-inspection
November 10, 2011 – Received BHQA Appeal
December 2, 2011 – Sent Amended Report
December 14, 2011 – BHQA meeting cancelled, moved to January 18, 2012
December 19, 2011 – Sent 2nd Amended Cycle Report

Petitioner is requesting an extension of time to receive parts on order and to complete repairs on the living room window.

Staff recommendation: Grant the request

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: January 31, 2012 for repairs

Attachments: Cycle Report, Amended Cycle Report, BHQA Appeal, Petitioner's Letter

[Handwritten mark]



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

RECEIVED
NOV 10 2011

BY: _____

Petitioner's Name: Jennifer Vincent

(812) 679-8893
Petitioner's Address & Phone Number: 5480 W. Shady Brook Dr. Bgtn. In. 47403

Owner's Name: Chris Hawes

Owner's Address & Phone Number: 1533 Arbors Ln. Bgtn. In. 47401

Address of Property: 1021 Azalia Dr. Bgtn. In. 47401

Occupant(s) Name(s): Ross & Alexis Freeman

The following conditions must be found in each case in order for the Board to consider the request:

1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.



A. An extension of time to complete repairs. (Petition type: TV)

- ↳ Specify the items that need the extension of time to complete
- ↳ Explain why the extension is needed
- ↳ Specify the time requested



B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)

- ↳ Specify the code reference number you are appealing
- ↳ Detail why you are requesting the variance
- ↳ Specify the modifications and or alterations you are suggesting



C. Relief from an administration decision. (Petition type: AA)

- ↳ Specify the decision being appealed and the relief you are seeking



D. Rescind a variance. (Petition type: RV)

- ↳ Detail the existing variance
- ↳ Specify the reason the variance is no longer needed

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: Jennifer Vincent

Name (print): Jennifer Vincent

(Will be assigned by BHQA)

11-TV-150

Petition Number: _____

(Please use the reverse side for further explanation and/or request)



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

(Please write a brief narrative in the space provided below. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting.)

Had trouble locating parts to repair windows. No
local Service Crestline persons or parts available, locally.
located parts via internet and ordered from
East Coast.

Signature: _____

Jennifer S. Vincent

Date: _____

11/10/2011



City of Bloomington
Housing and Neighborhood Development

AMENDED
Cycle Report

7484

OWNERS

=====

Mallory Hawes Llc
2201 Olcott Blvd
Bloomington, IN 47401

AGENT

=====

Vincent, Jennifer
5480 W. Shadybrook Drive
Bloomington, IN 47403

Prop. Location: 1021 E Azalea LN
Date Inspected: 08/15/2011
Inspectors: Norman Mosier
Primary Heat Source: Gas
Property Zoning: PUD
Number of Stories: 2

Number of Units/Structures: 1 / 1
Number of Bedrooms: 3
Max # of Occupants: 3
Foundation Type: Basement
Attic Access: Yes
Accessory Structure: None

The Monroe County Assessor's records indicate that this structure was built in 1996.
Minimum egress requirements for single family dwellings at the time of construction.
Openable area: 4.75 Sq. Ft.
Clear width: 18 inches
Clear height: 24 inches
Sill height: 44 inches above the finished floor.

EGRESS WINDOW MEASUREMENTS FOR STRUCTURE ARE AS FOLLOWS:

Openable area: 5.00 Sq. Ft.
Clear width: 30 inches
Clear height: 24 inches
Sill height: 28 inches

INTERIOR:

1st Floor

Entryway:

No Violations Noted.

Study:

No Violations Noted.

Kitchen:

Repair the right front burner to light as intended. PM-603.1

Living Room 14-4 x 13-10

All fireplaces/wood stove shall be inspected and serviced as needed. This is to include the firebox, damper, chimney and or the flue. Cleaning by professional service is highly recommended. PM-603.1

Every window shall be capable of being easily opened and held in position by its own hardware. PM-303.13.2

Deck:

Secure the handrail so it is capable of withstanding normally imposed loads, west end, left side. PM-303.12 (exterior).

2nd Floor

Stairway/Hallway:

No Violations Noted.

Laundry Room:

No Violations Noted.

Master Bedroom 12-6 x 16-2: There is an exit door for egress requirements.

No violations noted.

Master Bathroom:

No Violations Noted.

E Bedroom: 13 x 11: See egress window measurements at heading of report.

No violations noted.

Bathroom:

No violations noted.

Shower Room:

No violations noted.

Center Bedroom 12 x 12: See egress window measurements at heading of report.

No violations noted.

Basement

Stairway/Hallway:

No Violations Noted.

Family Room 15-5 x 20-8:

No violations noted.

Garage:

No Violations Noted.

Utility Closet:

Thoroughly clean and service the furnace, inspect and test shut off valves for proper operation. Documentation from a professional HVAC contractor for this service is acceptable and encouraged. Servicing shall include a test for carbon monoxide. Acceptable levels of carbon monoxide are as follows:

| | | |
|--|---------------------------|----------|
| Desired level: | 0 parts per million (ppm) | |
| Acceptable level in a living space: | 9 ppm | |
| Maximum concentration for flue products: | 50 ppm | PM-603.1 |

EXTERIOR:

Remove the vines that are growing on the structure. PM-102.8, PM-302.4, & PM-303.1

Clean debris from the roof, gutters and downspouts. PM-303.7

Replace the deteriorated brick molding above the garage door and to the right side at bottom of wall. PM-303.6

OTHER REQUIREMENTS:

Required documentation:

A completed copy of the Tenants and Owners Rights and Responsibilities Summary must be provided to this office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC 16.12.050 (d)

Required documentation:

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. A completed copy of

the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC16.12.040

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



**City of Bloomington
Housing and Neighborhood Development**

Cycle Report

7484

OWNERS

MALLORY HAWES LLC
2201 OLCOTT BLVD
BLOOMINGTON, IN 47401

AGENT

VINCENT, JENNIFER
5480 W. SHADYBROOK DRIVE
BLOOMINGTON IN 47403

Prop. Location: 1021 E AZALEA LN
Date Inspected: 08/15/2011
Inspectors: Norman Mosier
Primary Heat Source: Gas
Property Zoning: PUD
Number of Stories: 2

Number of Units/Structures: 1 / 1
Number of Bedrooms: 3
Max # of Occupants: 5
Foundation Type: Basement
Attic Access: Yes
Accessory Structure: None

The Monroe County Assessor's records indicate that this structure was built in 1996.
Minimum egress requirements for single family dwellings at the time of construction.
Openable area: 5.7 Sq. Ft.
Clear width: 20 inches
Clear height: 24 inches
Sill height: 44 inches above the finished floor.

GENERAL VIOLATION:

Single and multiple-station, hard wired smoke alarms shall be installed in the following locations and in accordance with following criteria: PM-102.3, PM-102.8, & PM-704.2

1. In each sleeping room
2. Outside of each sleeping area in the immediate vicinity of the bedrooms.
3. On each additional story of the dwelling, including basements and cellars but not including crawl spaces and uninhabitable attics. In dwelling units with split levels without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

4. The alarm devices shall be interconnected in such a manner that the actuation of one alarm will activate all of the alarms in the individual unit. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed. Radio frequency interconnection is allowable.
5. Install smoke detector(s) in an approved location. If wall mounted, it shall be located between 6 and 12 inches from the ceiling. If ceiling mounted, it shall be located at least 4 inches from the wall.
6. The required smoke alarms shall receive their primary power from the building wiring when such wiring is served from a commercial source, and when primary power is interrupted, shall receive power from a battery.
7. Wiring shall be permanent and without a disconnecting switch other than those required for overcurrent protection.
8. Smoke detection shall be maintained in manner so that it functions as intended and is in compliance with the aforementioned installation requirements.

INTERIOR:

1st Floor

Entryway:

No Violations Noted.

Study:

No Violations Noted.

Kitchen:

Repair the right front burner to light as intended. PM-603.1

Living Room:

14-4 x 13-10

All fireplaces/wood stove shall be inspected and serviced as needed. This is to include the firebox, damper, chimney and or the flue. Cleaning by professional service is highly recommended. PM-603.1

Every window shall be capable of being easily opened and held in position by its own hardware. PM-303.13.2

Deck:

Secure the handrail so it is capable of withstanding normally imposed loads, west end, left side. PM-303.12 (exterior).

2nd Floor

Stairway/Hallway:

No Violations Noted.

Laundry Room:

No Violations Noted.

Master Bedroom 12-6 x 16-2: **There is an exit door for egress requirements.**

Install a hardwired smoke detector. PM-704.1

Master Bathroom:

No Violations Noted.

E Bedroom: 13 x 11:

Install a hardwired smoke detector. PM-704.1

Existing Egress Window Measurements: Single Hung: Const. Yr. - 1996

Height: 24 inches

Width: 30 inches

Sill Height: 28 inches

Openable Area: 5.00 sq. ft.

The emergency egress window does not meet the minimum requirements for a one and two family dwelling built in 1996:

Openable area required: 5.7 sq. ft.

Clear width required: 20 inches

Clear height required: 24 inches

Maximum sill height: 44 inches above finished floor

Existing area: 5.0 sq. ft.

Existing width: 30 inches

Existing height: 24 inches

Existing sill: 28 inches/floor

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

Bathroom:

No violations noted.

Shower Room:

No violations noted.

Center Bedroom 12 x 12:

Install a hardwired smoke detector. PM-704.1

Existing Egress Window Measurements: Single Hung: Const. Yr. - 1996

Height: 24 inches

Width: 30 inches

Sill Height: 28 inches

Openable Area: 5.00 sq. ft.

The emergency egress window does not meet the minimum requirements for a one and two family dwelling built in 1996:

Openable area required: 5.7 sq. ft.

Clear width required: 20 inches

Clear height required: 24 inches

Maximum sill height: 44 inches above finished floor

Existing area: 5.0 sq. ft.

Existing width: 30 inches

Existing height: 24 inches

Existing sill: 28 inches/floor

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

Basement

Stairway/Hallway:

No Violations Noted.

Family Room 15-5 x 20-8: **There is an exit door for egress requirements.**

No violations noted.

Garage:

No Violations Noted.

Utility Closet:

Thoroughly clean and service the furnace, inspect and test shut off valves for proper operation. Documentation from a professional HVAC contractor for this service is acceptable and encouraged. Servicing shall include a test for carbon monoxide. Acceptable levels of carbon monoxide are as follows:

Desired level:

0 parts per million (ppm)

Acceptable level in a living space:

9 ppm

Maximum concentration for flue products:

50 ppm

PM-603.1

EXTERIOR:

Remove the vines that are growing on the structure. PM-102.8, PM-302.4, & PM-303.1

Clean debris from the roof, gutters and downspouts. PM-303.7

Replace the deteriorated brick molding above the garage door and to the right side at bottom of wall. PM-303.6

OTHER REQUIREMENTS:

Required documentation:

A completed copy of the Tenants & Owners Rights and Responsibilities Summary must be provided to the office or reviewed with the inspector before the Residential Rental Permit will be issued for this property. BMC16.12.050 (d)

Required documentation:

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC16.12.040

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: January 18, 2012

Petition Type: An extension of time to secure a state egress window variance.

Petition Number: 11-TV-151

Address: 3230 E. John Hinkle Place # A

Petitioner: Joanne Sabbagh / Tempo Properties

Inspector: Norman Mosier

Staff Report: October 25, 2011 – Conducted Cycle Inspection
November 17, 2011 – Received BHQA Appeal
December 14, 2011 – BHQA meeting cancelled, moved to January 18, 2012

It was noted during the cycle inspection that the egress windows do not meet egress requirements. Petitioner is requesting an extension of time to secure a state variance from the Dept. of Homeland Security.

Existing Egress Window Measurements: Dbl hung pop out: Const. Yr. – 1993

Openable Area: 5.59 sq. ft. Required Openable Area: 5.70 Sq. Ft.

Height: 23 inches Required height: 24 inches

Width: 35 inches Required Width: 20 inches

Sill Height: 26.5 inches Required Max. Sill Height: 44 inches above finished floor

Staff recommendation: Grant the request

Conditions: A copy of the State egress window variance must be received by the Housing and Neighborhood Development Office no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: March 18, 2012

Attachments: Cycle Report, BHQA Appeal. Petitioner's Letter



**Application For Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420
hand@bloomington.in.gov**

Property Address: 3230 E. John Hinkle Place Unit A

Petitioner's Name: Joanne Sabbagh, TEMPO Properties, Inc. (Property Manager)

Address: 2676 East 2nd Street, P.O. Box 5727

City: Bloomington

State: Indiana

Zip Code: 47407

Phone Number: (812) 336-2026

E-mail Address: jsabbagh@homefinder.org

Owner's Name: Charles Eastor

Address: 523 Winslow Farm Drive

City: Bloomington

State: Indiana

Zip Code: 47401

Phone Number: 812-336-8289

E-mail Address:

Occupants: Tenants

The following conditions must be found in each case in order for the Board to consider the request:

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Identify the variance type that you are requesting from the following drop down menu:

Variance Type: A modification or exception to the Housing Property Maintenance Code. (Petition Type: *W*)

Reminder:

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)

11-TV-151

Petition Number: _____

In the space provided below please write a brief narrative regarding your request. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting. The following information must be included dependent upon the type of variance you are requesting:

- A. An extension of time to complete repairs. (Petition type: TV)
 - 1. Specify the items that need the extension of time to complete.
 - 2. Explain why the extension is needed.
 - 3. Specify the time requested.
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
 - 1. Specify the code reference number you are appealing.
 - 2. Detail why you are requesting the variance.
 - 3. Specify the modifications and or alterations you are suggesting.
- C. Relief from an administration decision. (Petition type: AA)
 - 1. Specify the decision being appealed and the relief you are seeking.
- D. Rescind a variance. (Petition type: RV)
 - 1. Detail the existing variance.
 - 2. Specify the reason the variance is no longer needed.

A variance request has been sent to the Indiana Department of Homeland Security for the following reason: Code:BMC-16.04.020 (b) The height of the opening in the bedrooms is 1" short of code requirement in unit 3230-A. If the windows did not meet the building code requirements when the building was built, how did the builder pass his building inspections and get an occupancy permit in the first place. I am, therefore, requesting a variance as this requirement is not practical at this time and would create a hardship on the owner and violate the overall appearance of the building as all the windows are of the same size in all units at this location.

I am awaiting the decision of the Department of Homeland Security and need to file for an extension at this time.

Signature (Required):

Joanne Sabbagh

Name (Print):

Joanne Sabbagh

Date:

11/16/11

Important information regarding this application format:

1. This form is designed to be filled out electronically, printed, then returned/submitted manually (e.g. postal mail).
2. This document may be saved on your computer for future use, however, any data that you have entered will not be saved.

Print Form



City of Bloomington
Housing and Neighborhood Development

CYCLE REPORT

4914

OWNERS

Easton, Charles S.
523 Winslow Farm Dr.
Bloomington, IN 47401

AGENT

Tempo Management
P.O. Box 5727
Bloomington, IN 47407

Prop. Location: 3230 E John Hinkle PL UNIT A
Date Inspected: 10/25/2011
Inspectors: Norman Mosier
Primary Heat Source: Electric
Property Zoning: PUD
Number of Stories: 3

Number of Units/Structures: 1 / 1
Number of Bedrooms: 3
Max # of Occupants: 5
Foundation Type: Slab
Attic Access: No
Accessory Structure: None

The Monroe County Assessor's records indicate that this structure was built in 1993.
Minimum egress requirements for a multi-family dwelling built at the time of construction.
Openable area: 5.7 Sq. Ft.
Clear height: 24 inches
Clear width: 20 inches
Sill height: 44 inches above the finished floor

INTERIOR:

Living Room 14-9 x 12-8, Deck, Kitchen, Dining Room 10-8 x 7-7, Furnace Closet, Hallway,
Laundry Closet, Hall Bath :
No violations noted.

401 N. Morton
PO Box 100
Bloomington, IN 47402

City Hall

www.bloomington.in.gov/hand

Rental Inspections: (812) 349-3420
Housing Division: (812) 349-3401
Fax: (812) 349-3582

S Bedroom 10 x 8-5, Middle Bedroom 9-8 x 8-4, N Bedroom 12-8 x 9-6:

The emergency egress windows do not meet the minimum requirements for a multi-unit structure built in 1993:

Openable area required: 5.7 sq. ft.

Existing area: 5.59 sq. ft.

Clear width required: 20 inches

Existing width: 35 inches

Clear height required: 24 inches

Existing height: 23 inches

Maximum sill height: 44" above finished floor

Existing sill: 23 inches above finished floor

The emergency egress windows do not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

EXTERIOR:

No violations noted.

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: January 18, 2012

Petition Type: An extension of time to secure a state egress window variance.

Petition Number: 11-TV-152

Address: 3230 E. John Hinkle Place # K

Petitioner: Joanne Sabbagh / Tempo Properties

Inspector: Norman Mosier

Staff Report: October 25, 2011 – Conducted Cycle Inspection
November 17, 2011 – Received BHQA Appeal
December 14, 2011 – BHQA meeting cancelled, moved to January 18, 2012

It was noted during the cycle inspection that the egress windows do not meet egress requirements. Petitioner is requesting an extension of time to secure a state egress window variance from the Dept. of Homeland Security.

Existing Egress Window Measurements: Dbl hung pop out: Const. Yr. – 1993

Openable Area: 5.59 sq. ft. Required Openable Area: 5.70 Sq. Ft.

Height: 23 inches Required height: 24 inches

Width: 35 inches Required Width: 20 inches

Sill Height: 26.5 inches Required Max. Sill Height: 44 inches above finished floor

Staff recommendation: Grant the request

Conditions: A copy of the State egress window variance must be received by the Housing and Neighborhood Development Office no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: March 18, 2012

Attachments: Cycle Report, BHQA Appeal, Petitioner's Letter



**Application For Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420
hand@bloomington.in.gov**

Property Address: 3230 E. John Hinkle Place Unit K

Petitioner's Name: Joanne Sabbagh, TEMPO Properties, Inc. (Property Manager)

Address: 2676 East 2nd Street, P.O. Box 5727

City: Bloomington

State: Indiana

Zip Code: 47407

Phone Number: (812) 336-2026

E-mail Address: jsabbagh@homefinder.org

Owner's Name: Herbert Kuebler

Address: 3321 Coppertree Drive

City: Bloomington

State: Illinois

Zip Code: 47401

Phone Number: 812-330-0158

E-mail Address:

Occupants: Tenants

The following conditions must be found in each case in order for the Board to consider the request:

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Identify the variance type that you are requesting from the following drop down menu:

Variance Type: A modification or exception to the Housing Property Maintenance Code. (Petition Type: TV)

Reminder:

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)

11-TV-152

Petition Number: _____

In the space provided below please write a brief narrative regarding your request. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting. The following information must be included dependent upon the type of variance you are requesting:

- A. An extension of time to complete repairs. (Petition type: TV)
 - 1. Specify the items that need the extension of time to complete.
 - 2. Explain why the extension is needed.
 - 3. Specify the time requested.
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
 - 1. Specify the code reference number you are appealing.
 - 2. Detail why you are requesting the variance.
 - 3. Specify the modifications and or alterations you are suggesting.
- C. Relief from an administration decision. (Petition type: AA)
 - 1. Specify the decision being appealed and the relief you are seeking.
- D. Rescind a variance. (Petition type: RV)
 - 1. Detail the existing variance.
 - 2. Specify the reason the variance is no longer needed.

A variance request has been sent to the Indiana Department of Homeland Security for the following reason:

Code:BMC-16.04.020 (b) The height of the opening in the bedrooms is 1" short of code requirement in unit 3230-K. If the windows did not meet the building code requirements when the building was built, how did the builder pass his building inspections and get an occupancy permit in the first place. I am, therefore, requesting a variance as this requirement is not practical at this time and would create a hardship on the owner and violate the overall appearance of the building as all the windows are of the same size in all units at this location.

I am awaiting the decision of the Department of Homeland Security and need to file for an extension at this time.

Signature (Required):

Joanne Sabbagh

Name (Print):

Joanne Sabbagh

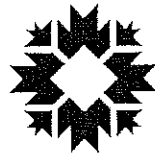
Date:

11/16/11

Important information regarding this application format:

1. This form is designed to be filled out electronically, printed, then returned/submitted manually (e.g. postal mail).
2. This document may be saved on your computer for future use, however, any data that you have entered will not be saved.

Print Form



City of Bloomington
Housing and Neighborhood Development

CYCLE REPORT

4234

OWNERS

Kuebler, Herbert O.
3221 Coppertree Dr
Bloomington, IN 47401

AGENT

Tempo Management
P.O. Box 5727
Bloomington, IN 47407

Prop. Location: 3230 E John Hinkle PL UNIT K
Date Inspected: 10/25/2011
Inspectors: Norman Mosier
Primary Heat Source: Electric
Property Zoning: PUD
Number of Stories: 3

Number of Units/Structures: 1 / 1
Number of Bedrooms: 3
Max # of Occupants: 5
Foundation Type: Slab
Attic Access: No
Accessory Structure: None

The Monroe County Assessor's records indicate that this structure was built in 1993.
Minimum egress requirements for a multi-family dwelling built at the time of construction.
Openable area: 5.7 Sq. Ft.
Clear height: 24 inches
Clear width: 20 inches
Sill height: 44 inches above finished floor

NOTE:

🏠 Room dimensions are in the file or listed on the previous cycle inspection report.

INTERIOR:

Living Room, Deck, Kitchen, Dining Room, Hall, Laundry Closet, Hall Bath, Furnace Closet:
No violations noted.

401 N. Morton
PO Box 100
Bloomington, IN 47402

City Hall

www.bloomington.in.gov/hand

Rental Inspections: (812) 349-3420
Housing Division: (812) 349-3401
Fax: (812) 349-3582

S Bedroom:

Secure the left side door casing and repair the door to latch properly. PM-304.6

Existing Egress Window Measurements: Dbl hung pop out: Const. Yr. - 1993

Height: 23 inches

Width: 35 inches

Sill Height: 26.5 inches

Openable Area: 5.59sq. ft.

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1993:

Openable area required: 5.7 sq. ft.

Existing area: 5.59 sq. ft.

Clear width required: 20 inches

Existing width: 35 inches

Clear height required: 24 inches

Existing height: 23 inches

Maximum sill height: 44" above finished floor

Existing sill: 26.5" above finished floor

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

Middle Bedroom:

Existing Egress Window Measurements: Dbl hung pop out: Const. Yr. - 1993

Height: 23 inches

Width: 35 inches

Sill Height: 26.5 inches

Openable Area: 5.59 sq. ft.

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1993:

Openable area required: 5.7 sq. ft.

Existing area: 5.59 sq. ft.

Clear width required: 20 inches

Existing width: 35 inches

Clear height required: 24 inches

Existing height: 23 inches

Maximum sill height: 44" above finished floor

Existing sill: 26.5 " above finished floor

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is

altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

N Bedroom:

Existing Egress Window Measurements: Dbl hung pop out: Const. Yr. - 1993

Height: 23 inches

Width: 35 inches

Sill Height: 26.5 inches

Openable Area: 5.59sq. ft.

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1993:

Openable area required: 5.7 sq. ft.

Existing area: 6.87 sq. ft.

Clear width required: 20 inches

Existing width: 43 inches

Clear height required: 24 inches

Existing height: 23 inches

Maximum sill height: 44" above finished floor Existing sill: 26.5" above finished floor

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

Bathroom:

Repair the sink drain to function as intended, slow. PM-504.1

Seal edge of floor covering adjacent to bathtub. PM-304.1

EXTERIOR:

No violations noted.

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: 18 January 2012

Petition Type: An extension of time to complete repairs.

Petition Number: 12-TV-01

Address: 701 N. College Ave.

Petitioner: Station 11, LLC

Inspector: Michael Arnold

Staff Report: 23 August 2012 Cycle Inspection
 25 August 2011 Sent Inspection Report
 01 November 2011 Sent Remaining Violations Report
 17 November 2011 Received request for Extension of Time

On the cycle report, it was noted that a copy of the Certificate of Occupancy and a copy of the Elevator Inspection were required before the Rental Permit would be issued. The owner indicated that they are still waiting for documentation.

Staff recommendation: Grant the extension of time

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: 11 March 2012

Attachments: Cycle Inspection, Application



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

Petitioner's Name: Kevin Theile
for Station 11, LLC

Petitioner's Address & Phone Number: 5005 N. St. Rd. 37 Business
Bloomington, IN 47404

Owner's Name: Station 11, LLC

Owner's Address & Phone Number: 5005 N. St. Rd. 37 Business
Bloomington, IN 47404

Address of Property: 701 N. College Ave
Bloomington, IN 47404

Occupant(s) Name(s): _____

The following conditions must be found in each case in order for the Board to consider the request:

1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.



A. An extension of time to complete repairs. (Petition type: TV)

- ↳ Specify the items that need the extension of time to complete
- ↳ Explain why the extension is needed
- ↳ Specify the time requested



B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)

- ↳ Specify the code reference number you are appealing
- ↳ Detail why you are requesting the variance
- ↳ Specify the modifications and or alterations you are suggesting



C. Relief from an administration decision. (Petition type: AA)

- ↳ Specify the decision being appealed and the relief you are seeking



D. Rescind a variance. (Petition type: RV)

- ↳ Detail the existing variance
- ↳ Specify the reason the variance is no longer needed

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: Kevin D. Theile

Name (print): Kevin D. Theile

812-360-3006

(Please use the reverse side for further explanation and/or request)

(Will be assigned by BHQA)

12-TV-01

Petition Number: _____



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

(Please write a brief narrative in the space provided below. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting.)

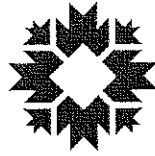
Station 11 LLC is requesting a short extension
to complete inspections. The work ^{(except for handrail} change and city
~~requested~~ has been completed but our ^{required water line} change)
re-inspection dates have not occurred.
We have inspections ⁱⁿ coming week w/
water line due on college just following,
timed with Thanksgiving holiday traffic
slowdown.

Signature:

Kerby

Date:

11/17/11



**City of Bloomington
Housing and Neighborhood Development**

Cycle Report

9496

OWNERS

=====

STATION II, LLC
5005 N. ST. RD. 37 BUSINESS
BLOOMINGTON, IN 47404

AGENT

=====

TICHENOR, TIM L.
5005 N. ST. RD. 37 BUSINESS
BLOOMINGTON IN 47404

Prop. Location: 701 N COLLEGE AVE
Date Inspected: 08/23/2011

Inspectors: Mike Arnold
Primary Heat Source: Electric
Property Zoning: CD
Number of Stories: 5

Number of Units/Structures: 33/1
Number of Bedrooms: 8-4br/15-
3br/10-2br
Max # of Occupants: 30-5, 3-4
Foundation Type: Slab
Attic Access: No
Accessory Structure: none

4 Occupants:
Units 306, 406, 506

5 Occupants:
2 Br Units – 103, 303, 305, 403, 405, 503, 505
3 Br Units – 102, 104, 105, 106, 107, 108, 302, 304, 308, 402, 404, 408, 502, 504, 508
4 Br Units – 101, 109, 301, 307, 401, 407, 501, 507

Note: This structure was built in 2010-2011; it is fully sprinklered and meets the exception for minimum egress requirements as outlined in IBC sec. 1026.1

Interior:

1st Floor:

Unit 101:

Living Room (23-0 x 15-0), Kitchen (19-0 x 9-0), Bathroom, Laundry Room, Bedroom (13-0 x 10-0), Bedroom (12-0 x 11-0):

No violations
401 N. Morton
PO Box 100
Bloomington, IN 47402

City Hall

www.bloomington.in.gov/hand

Rental Inspections: (812) 349-3420
Housing Division: (812) 349-3401
Fax: (812) 349-3582

Unit 102, 104, 106, 107, 108:

Main Level:

Living Room (23-0 x 15-0), Kitchen (20-0 x 9-0), Bathroom, Laundry Room, Bedroom (13-0 x 12-0):

No violations noted

Upper Level:

Bedroom (12-0 x 11-0), Bedroom (12-0 x 10-0), Loft (11-0 x 10-0), Bathroom:

No violations noted

Unit 103:

Main Level:

Living Room (23-0 x 15-0), Kitchen (20-0 x 9-0), Bathroom, Laundry Room, Bedroom (13-0 x 12-0):

No violations noted

Upper Level:

Bedroom (12-0 x 10-0), Loft (23-0 x 10-0), Bathroom:

No violations noted

Unit 105:

Main Level:

Living Room (23-0 x 14-0), Kitchen (15-0 x 9-0), Bathroom, Laundry Room, Bedroom [(12-0 x 10-0)+(10-0 x 8-0)]:

No violations noted

Upper Level:

Bedroom (12-0 x 10-0), Bedroom (12-0 x 11-0), Bathroom, Bathroom, Loft (22-0 x 9-0):

No violations noted

Unit 109:

Main Level:

Living Room (32-0 x 18-0), Kitchen, Bathroom, Bedroom (17-0 x 11-0), Laundry Room:

No violations noted

Upper Level:

Bedroom (19-0 x 11-0), Bedroom (14-0 x 10-0), Bedroom (13-0 x 13-0), Bathroom, Bathroom:

No violations noted

2nd Floor:

No units

3rd Floor, 4th Floor, 5th Floor:

Unit 301, 401, 501:

Living Room (37-0 x 22-0), Kitchen (20-0 x 10-0), Bathroom, Bathroom, Bathroom, Bathroom, Laundry Room, Bedroom (15-0 x 14-0), Bedroom (15-0 x 14-0), Bedroom (14-0 x 10-0), Bedroom (12-0 x 11-0):

No violations noted

Unit 302, 402, 502:

Living Room (19-0 x 13-0), Kitchen (16-0 x 10-0), Bathroom, Bathroom, Laundry Room, Bedroom (14-0 x 11-0), Bedroom (11-0 x 10-0):

No violations noted

Unit 303, 403, 503:

Living Room (21-0 x 17-0), Kitchen (17-0 x 10-0), Bathroom, Bathroom, Laundry Room, Bedroom (18-0 x 11-0):

No violations noted

Unit 304, 404, 504:

Living Room (20-0 x 14-0), Kitchen (13-0 x 10-0), Bathroom, Bathroom, Laundry, Bedroom (12-0 x 12-0), Bedroom (12-0 x 11-0), Bedroom (12-0 x 11-0):

No violations noted

Unit 305, 405, 505:

Living Room (31-0 x 11-0), Kitchen (13-0 x 12-0), Bathroom, Laundry Room, Bedroom (14-0 x 12-0), Bedroom (13-0 x 12-0):

No violations noted

Unit 306, 406, 506:

Living Room (30-0 x 12-0), Kitchen (12-0 x 12-0), Bathroom, Bathroom, Laundry Room, Bedroom (13-0 x 11-0), Bedroom (12-0 x 10-0):

No violations noted

Unit 307, 407, 507:

Living Room (24-0 x 23-0), Kitchen (18-0 x 10-0), Bathroom, Bathroom, Bathroom, Bathroom, Bedroom (12-0 x 12-0), Bedroom (12-0 x 12-0), Bedroom (12-0 x 10-0), Bedroom (11-0 x 10-0):

No violations noted

Unit 308, 408, 508:

Living Room (24-0 x 16-0), Dining Room (15-0 x 13-0), Kitchen (12-0 x 10-0), Bathroom, Bathroom, Bathroom, Laundry Room, Bedroom (18-0 x 11-0), Bedroom (18-0 x 11-0), Bedroom (13-0 x 12-0):

No violations noted

Exterior:

No violations noted

Required Documentation:

Provide a copy of the Certificate of Occupancy from the Monroe County Building Department. PM-102.3

Provide documentation of the fire suppression/fire alarm systems annual inspection as required by the Indiana Fire Prevention Code. PM-704.2

Provide documentation that the elevator has been tested approved for use. PM-102.3

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: January 18, 2012

Petition Type: An extension of time to complete repairs.

Petition Number: 12-TV-02

Address: 1890 S. Walnut St.

Petitioner: Robert Tamborrino

Inspector: Robert Hoole

Staff Report: 9/27/2011 Cycle inspection report mailed
November 18, 2011 Appeal filed

The petitioner is seeking an extension of time to complete inspection items in conjunction with renovation work. Many of the units were vacant at the time of the inspection.

Staff recommendation: Grant the extension of time

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: Smoke detector / fire extinguisher violations: January 30, 2012
All other violations: February 28, 2012

Attachments: Appeal form, cycle inspection report



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

RECEIVED
NOV 18 2011
BY: _____

Petitioner's Name: A-1 TOWN HOMES & APTS, LLC

Petitioner's Address & Phone Number: 3011 TAPPS TURN, BLMGTN, IN, 47401

Owner's Name: ROBERT TAMBOZZINO - 812-345-5009

Owner's Address & Phone Number: SAME AS ABOVE

Address of Property: 1890 SOUTH WALNUT ST., BL, IN, 47401

Occupant(s) Name(s): _____

The following conditions must be found in each case in order for the Board to consider the request:

1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.

- ☒ A. An extension of time to complete repairs. (Petition type: TV)
↳ Specify the items that need the extension of time to complete
↳ Explain why the extension is needed
↳ Specify the time requested
- ☐ B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
↳ Specify the code reference number you are appealing
↳ Detail why you are requesting the variance
↳ Specify the modifications and or alterations you are suggesting
- ☐ C. Relief from an administration decision. (Petition type: AA)
↳ Specify the decision being appealed and the relief you are seeking
- ☐ D. Rescind a variance. (Petition type: RV)
↳ Detail the existing variance
↳ Specify the reason the variance is no longer needed

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: Robert A. Tamborino

Name (print): ROBERT A. TAMBOZZINO

(Will be assigned by BHQA)

12-TV-02

Petition Number: _____

(Please use the reverse side for further explanation and/or request)



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

(Please write a brief narrative in the space provided below. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting.)

REMODELING, INCLUDING H.A.N.D. ITEMS, WILL TAKE
LONGER THAN EXPECTED, SO WE ARE REQUESTING
AN EXTENTION TO JANUARY / FEBRUARY.

Signature:

Ruth A. [Signature]

Date:

11/18/11



**City of Bloomington
Housing and Neighborhood Development**

Cycle Report

1048

OWNERS

=====

Tamborrino, Robert A.
3011 Tapps Turn
Bloomington, IN 47401

Prop. Location: 1890 S Walnut ST
Date Inspected: 09/16/2011
Inspectors: Robert Hoole
Primary Heat Source: Electric
Property Zoning: CA
Number of Stories: 2

Number of Units/Structures: 23 / 1
Number of Bedrooms: 22-1br; 1-2br.
Max # of Occupants: 2/4
Foundation Type: Slab
Attic Access: No
Accessory Structure:

VARIANCE

=====

03/02/1983 Granted a variance to the light and ventilation requirements in the upstairs east apartment and granted a variance to the light and ventilation requirements in the kitchen of the upstairs west apartment.

Monroe County Assessor's records indicate this structure was built in 1967.
There were no requirements for emergency egress at the time of construction.

Units 1-20 have the following room inventory and dimensions: Living room (12 x 12), Kitchen (4 x 12), Hallway, Bath, Bedroom (12 x 12).

Existing Egress Window Measurements (excluding units A, B, C, and 10):

Height: 46 inches
Width: 21 inches
Sill Height: 34 inches
Openable Area: 6.70 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

INTERIOR

20

Kitchen

Replace the deteriorated baseboard heater. PM-605.1

Hallway

Provide operating power to smoke detector. PM-704.1

Bath

Repair the exhaust fan to eliminate excessive noise. PM-403.2

19

Living room

Repair the window to lock securely. PM-303.13.2

Hall

Properly ground and secure the loose electrical receptacle. If the receptacle is on an ungrounded system, it is acceptable to install a 2-pole, ungrounded receptacle, or a GFCI receptacle. PM-605.1

18

Hall

Provide operating power to smoke detector. PM-704.1

Bath

Repair the exhaust fan to eliminate excessive noise. PM-403.2

Eliminate the drip at the sink faucet. PM-504.1

Replace the broken toilet seat. PM-504.1

Repair the subfloor under the toilet area. PM-304.2

Remove and replace the caulk in the tub. PM-304.3

17

Bath

Replace the missing toilet seat. PM-504.1

16

This unit could not be accessed. It will be checked at the reinspection. Any repairs required shall be completed and reinspected within the same 60 day timeframe as those specified in this report.

15

Living room

Provide a unit identification number on the exterior door. PM-303.3

Replace the deteriorated floor covering. PM-304.3

Hall

Install a smoke detector in an approved location. If wall mounted, it shall be located between 6 and 12 inches from the ceiling. If ceiling mounted, it shall be located at least 4 inches from the wall.
PM-704.1

14

Living room

Replace the deteriorated floor covering. PM-304.3

Hall

Replace the missing receptacle. PM-605.1

Provide operating power to smoke detector. PM-704.1

Bedroom

Repair the hole in the west wall. PM-304.3

12

Bath

Clean and service the exhaust fan so that it functions as intended. PM-603.1

Repair the toilet to eliminate unnecessary water use. PM-504.1

13

Living room

Replace the deteriorated floor covering. PM-304.3

Properly repair the deteriorated ceiling. PM-304.3

Bath

Replace the broken sink and drain. PM-504.1

Hall

Install a smoke detector in an approved location. If wall mounted, it shall be located between 6 and 12 inches from the ceiling. If ceiling mounted, it shall be located at least 4 inches from the wall. PM-704.1

10

Hall

Provide operating power to smoke detector. PM-704.1

Bath

Replace the sink. PM-504.1

Bedroom

This unit has a replacement window that differs from other units. Repair the crank mechanism to function as intended. The window will be measured at reinspection. PM-303.13

Temperature/pressure relief (TPR) valve discharge tubes:

- shall not be reduced in size from the valve outlet
- shall be rigid galvanized, rigid copper, or any CPVC pipe
- shall not have a threaded discharge end
- drain by gravity



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: 18 January 2012

Petition Type: An extension of time to complete repairs.

Petition Number: 12-TV-03

Address: 3421 N. Kinser Pk.

Petitioner: Candi Mullis

Inspector: Michael Arnold

| | | |
|---------------|------------------|---|
| Staff Report: | 11 October 2011 | Cycle Inspection Completed |
| | 13 October 2011 | Sent Inspection Report |
| | 22 November 2011 | Reinspection scheduled |
| | 22 November 2011 | Received Application for extension of time. |

During the cycle inspection it was noted that most of the windows did not properly latch. Petitioner is requesting additional time to install new windows.

Staff recommendation: Grant the extension of time

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: 11 March 2012

Attachments: Cycle Inspection, Application

fer



**Application For Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420
hand@bloomington.in.gov**

Property Address: 3421 N Kinser Pk

Petitioner's Name: Candi Mullis

Address: P/O Box 1112 - 621 N Walnut St

City: Bloomington

State: Indiana

Zip Code: 47402

Phone Number: (812) 339-2115

E-mail Address: cmullis@parkermgt.com

Owner's Name: Jaw Properties LLC

Address: 6153 New Osprey Pt.

City: Springhill

State: Florida

Zip Code: 34607

Phone Number: 352-848-6827

E-mail Address:

Occupants: Sierra Draughn;

Mikael Draughn

The following conditions must be found in each case in order for the Board to consider the request:

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Identify the variance type that you are requesting from the following drop down menu:

Variance Type: An extension of time to complete repairs. (Petition Type: TV)

Reminder:

A \$20.00/filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)

12-TV-03

Petition Number: _____

In the space provided below please write a brief narrative regarding your request. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting. The following information must be included dependent upon the type of variance you are requesting:

- A. An extension of time to complete repairs. (Petition type: TV)
 - 1. Specify the items that need the extension of time to complete.
 - 2. Explain why the extension is needed.
 - 3. Specify the time requested.
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
 - 1. Specify the code reference number you are appealing.
 - 2. Detail why you are requesting the variance.
 - 3. Specify the modifications and or alterations you are suggesting.
- C. Relief from an administration decision. (Petition type: AA)
 - 1. Specify the decision being appealed and the relief you are seeking.
- D. Rescind a variance. (Petition type: RV)
 - 1. Detail the existing variance.
 - 2. Specify the reason the variance is no longer needed.

I am requesting an extension of time to complete repairs on the windows. All other repairs are complete. The windows are in need of replacing and the lead time for the windows to come in is 4-6 weeks. I am requesting an extra week as with the upcoming holidays the work week will be shorter and the delivery may be delayed. I have attached the signed estimate for the window replacement. Please give me an extension of time till January 13, 2011.

Signature (Required):

Candi Mullis

Name (Print):

Candi Mullis

Date: 11/17/11

Important information regarding this application format:

- 1. This form is designed to be filled out electronically, printed, then returned/submitted manually (e.g. postal mail).
- 2. This document may be saved on your computer for future use, however, any data that you have entered will not be saved.

Print Form



City of Bloomington
Housing and Neighborhood Development

Cycle Report

8889

OWNERS

=====

Jaw Properties Llc
6153 New Osprey Pt
Springhill, FL 34607

AGENT

=====

Parker Real Estate Management
Po Box 1112
Bloomington, IN 47402

Prop. Location: 3421 N Kinser PIKE
Date Inspected: 10/11/2011
Inspectors: Mike Arnold
Primary Heat Source: Electric
Property Zoning: RS
Number of Stories: 1

Number of Units/Structures: 1 / 1
Number of Bedrooms: 5
Max # of Occupants: 3
Foundation Type: Slab
Attic Access: No
Accessory Structure: none

Monroe County records show this structure was built in 1960. At the time of construction there were no minimum requirements for emergency egress.

Interior:

General Condition:

Provide operating power to smoke detector. PM-704.1 (replace batteries for detectors that are beeping).

Living Room (18-0 x 16-0), North Bathroom, South Bathroom, 1/2 Bathroom,
Laundry/Mechanical Room, Carport:

No violations noted

Kitchen/Dining Room:

Repair the damaged trim work at entry to kitchen. PM-304.1

NE Bedroom (11-8 x 11-6):

Existing Egress Window Measurements:

Height: 16.75 inches
Width: 34 inches
Sill Height: 45 inches

Openable Area: 3.95 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Repair window to latch securely. PM-303.13.2

NW Bedroom (11-6 x 9-8):

Existing Egress Window Measurements:

Height: 17.25 inches

Width: 45 inches

Sill Height: 35 inches

Openable Area: 5.39sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Repair window to latch securely. PM-303.13.2

East Center Bedroom (10-7 x 10-6):

Existing Egress Window Measurements:

Height: 33 inches

Width: 32.5inches

Sill Height: 45 inches

Openable Area: 7.5 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Repair window to latch securely. PM-303.13.2

SE Bedroom (12-2 x 10-7), SW Bedroom (12-0 x 12-0):

Existing Egress Window Measurements:

Height: 34.5 inches

Width: 24.5 inches

Sill Height: 45 inches

Openable Area: 5.87 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Repair window to latch securely. PM-303.13.2

South Hallway:

Provide operating power to smoke detector. PM-704.1 (at the door).

Exterior:

No violations noted

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: January 18, 2012

Petition Type: An extension of time to complete repairs.

Petition Number: 12-TV-04

Address: 312 E. Dixie Street

Petitioner: Michael Plaza

Inspector: Jo Stong

Staff Report: October 3, 2011: Conducted cycle inspection
October 7, 2011: Sent report
November 28, 2011: Received appeal

During a cycle inspection of the property several violations of the Property Maintenance Code were noted. The petitioner is requesting an extension of time to complete repairs, as he will be out of the country until January 2012.

Staff recommendation: Grant the extension of time

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: January 30, 2012

Attachments: Cycle report, appeal



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

RECEIVED
NOV 28 2011

Petitioner's Name: Michael Plaza BY: _____

Petitioner's Address & Phone Number: 312 E Dixie Bloomington In 47401
812 333 7987

Owner's Name: Michael Plaza

Owner's Address & Phone Number: same as above

Address of Property: same as above

Occupant(s) Name(s): _____

The following conditions must be found in each case in order for the Board to consider the request:

1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.



A. An extension of time to complete repairs. (Petition type: TV)

- ↳ Specify the items that need the extension of time to complete
- ↳ Explain why the extension is needed
- ↳ Specify the time requested



B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)

- ↳ Specify the code reference number you are appealing
- ↳ Detail why you are requesting the variance
- ↳ Specify the modifications and or alterations you are suggesting



C. Relief from an administration decision. (Petition type: AA)

- ↳ Specify the decision being appealed and the relief you are seeking



D. Rescind a variance. (Petition type: RV)

- ↳ Detail the existing variance
- ↳ Specify the reason the variance is no longer needed

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: _____

Name (print): Michael Plaza

(Will be assigned by BHQA)

12 - TV - 04

Petition Number: _____

(Please use the reverse side for further explanation and/or request)



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

(Please write a brief narrative in the space provided below. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting.)

Due to travel for the holidays and heavy work
schedule, I need more time to work on repairs.
I will be travelling to Bolivia to visit family
and need to get ready for trip. Will be back
by Jan 4, 2012.

Signature: _____ Date: _____



**City of Bloomington
Housing and Neighborhood Development**

Cycle Report

5806

OWNERS

Plaza, Michael J.
312 E. Dixie St.
Bloomington, IN 47401

Prop. Location: 312 E Dixie ST
Date Inspected: 10/03/2011
Inspectors: Jo Stong
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 1

Number of Units/Structures: 1 / 1
Number of Bedrooms: 4
Max # of Occupants: 3
Foundation Type: Basement
Attic Access: No
Accessory Structure: Shed

Monroe County Assessor's records indicate this structure was built in 1955.
There were no requirements for emergency egress at the time of construction.

INTERIOR:

Conditions were noted during the cycle inspection that may indicate this property is over occupied and in violation of the Bloomington Municipal Code (BMC) Title 20. This property shall be brought into compliance with Title 20 requirements within 60 days of the date of this inspection to avoid possible legal action by the City of Bloomington Legal Department.

Entry, Living Room (17-5 x 11-6):

No violations noted.

Kitchen (11-5 x 9-1):

Repair the faucet sprayer on the sink to function as intended by the manufacturer, or remove and properly terminate the line for the sprayer. PM-504.1

Garage, Laundry Room:

No violations noted.

123

Northwest Bedroom (11-8 x 9-0):

Note: A door leading directly to the exterior serves as the emergency egress for this sleeping room.

No violations noted.

South Bathroom:

No violations noted.

South Bedroom (14-8 x 7-11):

Note: A door leading directly to the exterior serves as the emergency egress for this sleeping room.

No violations noted.

Hall Bath:

Clean and service the exhaust fan so that it functions as intended. PM-603.1

Northeast Bedroom (10-9 x 9-8):

No violations noted.

Existing Egress Window Measurements (double-hung):

Height: 24 $\frac{3}{4}$ inches

Width: 27 inches

Sill Height: 25 $\frac{3}{4}$ inches

Openable Area: 4.64 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Southeast Bedroom (11-10 x 9-11):

Repair the south window to stay open (top sash falls). Every window shall be capable of being easily opened and held in position by its own hardware. PM-303.13.2

Note: Egress window measurements are the same as in the northeast bedroom.

BASEMENT

The basement is not approved for sleeping. Remove all bedding from the basement. PM-702.1

EXTERIOR:

No violations noted.

Shed:

No violations noted.

OTHER REQUIREMENTS:

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)

Thank you for your cooperation in the Residential Rental Occupancy Permit Program.



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: 18 January 2012

Petition Type: An extension of time to complete repairs

Petition Number: 12-TV-05

Address: 567 Graham Place

Petitioner: Johann Dieken

Inspector: John Hewett

Staff Report: October 13, 2011 Cycle Inspection
 October 26, 2011 Cycle Report sent
 November 29, 2011 Received Appeal

During the inspection the windows were cited for not meeting the minimum egress requirements. The petitioner is appealing to the state for a variance.

Bedroom Egress window information:

| | |
|---|---|
| Openable area required: 5.0 sq. ft. ground floor, 5.7 all other | Existing area: 5.19 (2 nd floor) |
| Clear width required: 20" | Existing width: 31.5 |
| Clear height required: 22" | Existing height: 23.75 |
| Maximum Allowable Sill Height: 44" above finished floor | Existing sill: 23" and 27 " |

Staff recommendation: Grant the extension.

Conditions: Remaining violations must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: March 18, 2012

Attachments: Cycle Report, Application



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

RECEIVED
NOV 29 2011

Petitioner's Name: Johann Dieken BY: _____

Petitioner's Address & Phone Number: 6551 W. May Rd. (812) 327-3395

Owner's Name: Johann Dieken

Owner's Address & Phone Number: 6551 W. May Rd. (812) 327-3395

Address of Property: 567 Graham Pl, Bloomington

Occupant(s) Name(s): Kelli & Lori Fournclery

The following conditions must be found in each case in order for the Board to consider the request:

1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.



A. An extension of time to complete repairs. (Petition type: TV)

- ↳ Specify the items that need the extension of time to complete
- ↳ Explain why the extension is needed
- ↳ Specify the time requested



B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)

- ↳ Specify the code reference number you are appealing
- ↳ Detail why you are requesting the variance
- ↳ Specify the modifications and or alterations you are suggesting



C. Relief from an administration decision. (Petition type: AA)

- ↳ Specify the decision being appealed and the relief you are seeking



D. Rescind a variance. (Petition type: RV)

- ↳ Detail the existing variance
- ↳ Specify the reason the variance is no longer needed

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: J. Dieken

Name (print): Johann Dieken

(Will be assigned by BHQA)

12-TV-05

Petition Number: _____

(Please use the reverse side for further explanation and/or request)



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

(Please write a brief narrative in the space provided below. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting.)

Repairs have been completed but
the State has not yet responded
to the variance request.

I would like to extend my
deadline by 60 days please.

Signature:

J. Dickson

Date:

11/29/2011



City of Bloomington
Housing and Neighborhood Development

Cycle Report

467

OWNERS

Dieken, Johann
6551 W. May Road
Bloomington, IN 47403

Prop. Location: 567 E Graham PL
Date Inspected: 10/13/2011
Inspectors: John Hewett
Primary Heat Source: Electric
Property Zoning: RM
Number of Stories: 2

Number of Units/Structures: 1 / 1
Number of Bedrooms: 4
Max # of Occupants: 5
Foundation Type: Basement
Attic Access: Yes
Accessory Structure:

Monroe County Assessor's records indicate this structure was built in 1983.

Minimum emergency egress requirements for the time of construction:

Openable area required: 4.75 sq. ft.

Clear width required: 18"

Clear height required: 24"

Maximum Allowable Sill Height: 48" above finished floor

Interior

Entry

Repair or replace the door to the ½ bathroom to eliminate the hole in the door. PM-304.3

Kitchen

10-9 x 5-1

No violations noted.

Living room

16-3 x 14-1

Repair the sliding door to latch. PM-303.15

½ bathroom

No violations noted.

Basement

Middle room

9-3 x 10-2

401 N. Morton
PO Box 100
Bloomington, IN 47402

City Hall

www.bloomington.in.gov/hand

Rental Inspections: (812) 349-3420

Housing Division: (812) 349-3401

Fax: (812) 349-3582

NOTE: This room does NOT meet the minimum safety requirements for a sleeping room, and may not be used for sleeping purposes.

Rear bedroom

13-2 x 9-11

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1983:

| | | | |
|-------------------------|--------------------------|------------------|-------------|
| Openable area required: | 4.75 sq. ft. | Existing area: | 4.81sq. ft. |
| Clear width required: | 18" | Existing width: | 34.25" |
| Clear height required: | 24" | Existing height: | 20.25" |
| Maximum sill height: | 48" above finished floor | Existing sill: | 38" |

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

Mechanical closet/ bathroom

Replace the missing/broken electrical receptacle cover plate behind the washer. PM-605.1

2nd Floor

Rear bedroom (N)14-1 x 10-1, Center bedroom 8-5 x 10-0, Front Bedroom (S)11-9 x 8-8

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1983:

| | | | |
|-------------------------|--------------------------|------------------|-------------|
| Openable area required: | 4.75sq. ft. | Existing area: | 4.97sq. ft. |
| Clear width required: | 18" | Existing width: | 30.5" |
| Clear height required: | 24" | Existing height: | 23.5" |
| Maximum sill height: | 48" above finished floor | Existing sill: | 30.5" |

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

Bathroom

No violations noted.

Exterior

No violations noted.

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: 18 January 2012

Petition Type: An extension of time to complete repairs.

Petition Number: 12-TV-06

Address: 315 E. 7th St.

Petitioner: Stasny & Horn IGP

Inspector: Michael Arnold

Staff Report: 22 November 2011 Cycle Inspection Completed
01 December 2011 Received Appeal

Several exterior items were included on the cycle report. Portions of the deteriorated public sidewalk need to be replaced; some tuck point is needed on the chimney and the retaining wall at the public sidewalk needs some repair to secure some of the blocks. The exterior painting already has a deadline of 22 November 2012.

Staff recommendation: Grant the variance

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: 22 November 2012

Attachments: Cycle Inspection Report, Application



**Application For Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420
hand@bloomington.in.gov**

Property Address: 315 317 E 7th St, Bloomington, IN 47408

Petitioner's Name: Stasny & Horn IGP

Address: 509 E Cottage Grove Ave Ste 1, PO Box 183

City: Bloomington

State: Indiana

Zip Code: 47402

Phone Number: (812) 339-4676

E-mail Address: info@hpiu.com

Owner's Name: Stasny & Horn IGP

Address: 509 E Cottage Grove Ave Ste 1, PO Box 183

City: Bloomington

State: Indiana

Zip Code: 47402

Phone Number: 812-339-4676

E-mail Address: info@hpiu.com

Occupants: M A Fellows, agent of tenant

The following conditions must be found in each case in order for the Board to consider the request:

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Identify the variance type that you are requesting from the following drop down menu:

Variance Type: An extension of time to complete repairs. (Petition Type: TV)

Reminder:

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)

12-TV-06

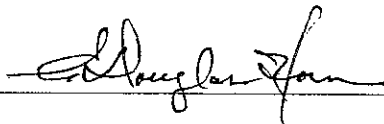
Petition Number: _____

In the space provided below please write a brief narrative regarding your request. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting. The following information must be included dependent upon the type of variance you are requesting:

- A. An extension of time to complete repairs. (Petition type: TV)
 - 1. Specify the items that need the extension of time to complete.
 - 2. Explain why the extension is needed.
 - 3. Specify the time requested.
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
 - 1. Specify the code reference number you are appealing.
 - 2. Detail why you are requesting the variance.
 - 3. Specify the modifications and or alterations you are suggesting.
- C. Relief from an administration decision. (Petition type: AA)
 - 1. Specify the decision being appealed and the relief you are seeking.
- D. Rescind a variance. (Petition type: RV)
 - 1. Detail the existing variance.
 - 2. Specify the reason the variance is no longer needed.

We request an extension of time to complete Exterior repairs enumerated on page 5 of the cycle inspection report with a deadline for completion of November 21, 2012, one year from the date of the recent cycle inspection. Thank you.

Signature (Required):



Name (Print): E. Douglas Horn - Managing General Partner

Date: 12/1/11

Important information regarding this application format:

- 1. This form is designed to be filled out electronically, printed, then returned/submitted manually (e.g. postal mail).
- 2. This document may be saved on your computer for future use, however, any data that you have entered will not be saved.

Print Form



**City of Bloomington
Housing and Neighborhood Development**

Cycle Report

646

OWNERS

=====

Stasny & Horn, Igp
Po Box 183
Bloomington, IN 47402-0183

Prop. Location: 315 E 7th ST
Date Inspected: 11/21/2011
Inspectors: Mike Arnold
Primary Heat Source: Gas
Property Zoning: RM
Number of Stories: 3

Number of Units/Structures: 10/1
Number of Bedrooms: 7-SR;2-1br;1-4br.
Max # of Occupants: 1/2/4
Foundation Type: Basement
Attic Access: No
Accessory Structure: none

VARIANCE

05/29/1986 **Granted a variance to the tub/shower requirement and to the requirement that the bathroom facilities be on the same floor as the rooming units. This variance is on condition that the occupancy be limited to 6 people or one person in each of the 6 sleeping rooms.**

Note: **Monroe County records show this property was built prior to 1972 and the addition was built in 1940. There were no minimum emergency egress requirements at the time of construction.**

Interior:

North Basement, South Basement:

No violations noted

Main Level:

Common Areas:

Hallway/Stairway:

Replace the missing spindles on the stairway railings. PM-304.

Kitchen (16-8 x 12-3):

No violations noted

½ Bathroom:

Replace the missing tile. PM-304.1

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Rental Inspections: (812) 349-3420

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Fax: (812) 349-3582

Unit 1:**Living Room/Bedroom (11-6 x 11-6):****Existing Egress Window Measurements:****Height:** 38 inches**Width:** 33 inches**Sill Height:** 17 inches**Openable Area:** 8.70 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

No violations noted

Unit 2:**Living Room/Bedroom (16-6 x 11-5):****Existing Egress Window Measurements:****Height:** 38 inches**Width:** 33 inches**Sill Height:** 17 inches**Openable Area:** 8.70 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Repair/replace the slatted door – NE corner of room. PM-304.6

Kitchen (10-10 x 9-1):

No violations noted

Bathroom:

Replace non-functioning or incorrectly wired electrical receptacle with a GFCI-protected receptacle(s), per Indiana Electric Code requirements. PM-605.1 (Tests as open ground).

Unit 3:**Living Room/Bedroom (15-8 x 13-1):****Existing Egress Window Measurements:****Height:** 26 inches**Width:** 34 inches**Sill Height:** 42 inches**Openable Area:** 6.14 sq. ft.

Repair the broken glass in the entry door. PM-303.13 (Entry door)

Install a smoke detector in an approved location. **If wall mounted, it shall be located between 6 and 12 inches from the ceiling.** If ceiling mounted, it shall be located at least 4 inches from the wall. PM-704.1

North Unit:

Living Room (16-3 x 11-10), Kitchen (11-10 x 10-8), East Bathroom:

No violations noted

West Bathroom:

Repair window to latch securely. PM-303.13.2

Unit 10 (11-6 x 11-10), Unit 12 (11-6 x 10-9), Unit 13 (11-7 x 10-9):

Existing Egress Window Measurements:

Height: 19.5 inches
Width: 31 inches
Sill Height: 34 inches
Openable Area: 4.20 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

No violations noted

Unit 11 (11-6 x 10-8):

Existing Egress Window Measurements:

Height: 19.5 inches
Width: 31 inches
Sill Height: 34 inches
Openable Area: 4.20 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Repair window to latch securely. PM-303.13.2

Upper Level:

Common Hallway:

Replace the missing spindles on the stairway railings. PM-304.

Common Bathroom:

Repair the base of the shower where water damaged has occurred. PM-304.1

Unit 4, 5:

Measure egress window at reinspection

No violations noted

Unit 6:

Existing Egress Window Measurements:

Height: 38 inches
Width: 33 inches
Sill Height: 17 inches

Openable Area: 8.70 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

No violations noted

Unit 7:

Existing Egress Window Measurements:

Height: 38 inches

Width: 33 inches

Sill Height: 17 inches

Openable Area: 8.70 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

It is recommended that only the main room be used for sleeping purposes.

Unit 8:

Existing Egress Window Measurements:

Height: 38 inches

Width: 33 inches

Sill Height: 17 inches

Openable Area: 8.70 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Repair window to latch securely. PM-303.13.2

It is recommended that only the main room be used for sleeping purposes.

Third Level:

Main Room/Kitchen Area (32-6 x 13-10):

Existing Egress Window Measurements:

Height: 38 inches

Width: 33 inches

Sill Height: 17 inches

Openable Area: 8.70 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

No violations noted

It is recommended that only the main room be used for sleeping purposes.

Exterior:

It is recommended that the north side of the stairs to the deck on the north side of the structure have a handrail/guardrail installed in accordance with the current Indiana Building Code.

Scrape and paint exterior surfaces where paint is peeling or wood is exposed. PM-303.2 (This item has a deadline of 22 November 2011).

Replace the missing exhaust cover on the west side of the house. PM-603.1

Replace the deteriorated portions of the public sidewalk. PM-302.3

Properly repair/tuck point the chimney. PM-303.11

Repair the retaining wall where the stone has been removed. PM-303.6 (South side of structure – west end at alley).

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)